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SENATE AND HOUSE JOURNALS

of the

FIFTY-SECOND LEGISLATURE

of the

STATE OF MONTANA

JULY 1992

SPECIAL SESSION

Held in Helena, the Seat of Government
Commencing in Special Session July 6, 1992
and Ending July 18, 1992

JOSEPH P. MAZUREK
President of the Senate

HAL HARPER
Speaker of the House

DAVE HUNTER
Secretary of the Senate

JOYCE ANDRUS
Chief Clerk of the House

Published by

Montana Legislative Council

SENATE & HOUSE JOURNALS

OF THE

FIFTY-SECOND LEGISLATURE

OF THE

STATE OF MONTANA

In Special Session

July 6 through July 18, 1992

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OFFICERS AND MEMBERS OF THE MONTANA SENATE 1992

50 Members

29 Democrats — 21 Republicans

OFFICERS

President . . . . . Joseph P. Mazurek
President Pro Tempore . . . . . J.D. Lynch
Majority Leader . . . . . Fred Van Valkenburg
Majority Whip . . . . . Paul Svrcek
Minority Leader . . . . . Bruce Crippen
Minority Whip . . . . . Thomas Keating
Secretary of the Senate . . . . . Dave Hunter

MEMBERS

Name	Residence or Mailing Address	Dist No	County of Residence	Party
Aklestad, Gary C.	P.O. Box 32, Galata, 59444	6	Toole	Republican
Anderson, Jr., John H.	P.O. Box 86, Alder, 59710	37	Madison	Republican
Beck, Thomas A. (Tom)	651 Greenhouse Rd, Deer Lodge, 59722	24	Powell	Republican
Bengtson, Esther G.	8124 Clark Rd, Shepherd, 59079	49	Yellowstone	Democratic
Bianchi, Don	490 Secretariat Circle, Belgrade, 59714	39	Gallatin	Democratic
Blaylock, Chet	502 Third Ave, Laurel, 59044	43	Yellowstone	Democratic
Brown, Robert (Bob)	333 Cougar Trl, Whitefish, 59937	2	Flathead	Republican
Bruski-Maus, Betty	Box 234, Wibaux, 59353	12	Wibaux	Democratic
Burnett, James H. (Jim)	P.O. Box 4460, Luther, 59051	42	Carbon	Republican
Christiaens, B.F. (Chris)	709 4th Ave N, Great Falls, MT 59401	18	Cascade	Democratic
Crippen, Bruce D.	P.O. Box 80747, Billings, 59108-0747	45	Yellowstone	Republican
Devlin, Gerry	P.O. Box 186, Terry, 59349	13	Prairie	Republican
Doherty, Steve	1531 3rd Ave SW, Great Falls, 59404	20	Cascade	Democratic
Eck, Dorothy	10 W Garfield, Bozeman, 59715	40	Gallatin	Democratic
Farrell, William E. (Bill)	Box 8305, Missoula, 59807	31	Missoula	Republican
Franklin, Eve	4021 4th Ave S, Great Falls, 59405	17	Cascade	Democratic
Fritz, Harry	675 E Central Ave, Missoula, 59801	28	Missoula	Democratic
Gage, Delwyn	P.O. Box 787, Cut Bank, 59427	5	Glacier	Republican
Grosfield, Lorents	HC 87, Box 2145, Big Timber, 59011	41	Sweet Grass	Republican
Hager, Thomas O. (Tom)	150 Norris Ct, Billings, 59105	48	Yellowstone	Republican
Halligan, Mike	P.O. Box 9121, Missoula, 59807	29	Missoula	Democratic
Hammond, H. W. (Swede)	P.O. Box 1366, Malta, 59538	9	Phillips	Republican
Harding, Ethel M.	P.O. Box 251, Polson, 59860	25	Lake	Republican
Harp, John G.	53 Willow Dr, Kalispell, 59901	4	Flathead	Republican
Hockett, Bob	Shambo Rte Box 306, Havre, 59501	7	Hill	Democratic
Jacobson, Judy H.	330 Blacktail Canyon Rd, Butte, 59701	36	Silver Bow	Democratic
Jergeson, Greg	RR 71 Box 8, Chinook, 59523	8	Blaine	Democratic
Keating, Thomas F.	P.O. Box 20522, Billings, 59104	44	Yellowstone	Republican
Kennedy, Jr., John (Ed)	5567 Montana Hwy 35, Kalispell, 59901	3	Flathead	Democratic
Koehnke, Francis	P.O. Box 692, Townsend, 59644	16	Broadwater	Democratic
Lynch, John (J. D.)	527 W Mercury, Butte, 59701	34	Silver Bow	Democratic
Mazurek, Joseph P.	516 Hayes, Helena, 59601	23	Lewis & Clark	Democratic
Nathe, Dennis G.	P.O. Box 4, Redstone, 59257	10	Sheridan	Republican
Noble, Jerry	712 Central W, Great Falls, 59404	21	Cascade	Republican
Pinsoneault, Richard J.	P.O. Box 250, St. Ignatius, 59865	27	Lake	Democratic

OFFICERS AND MEMBERS OF THE MONTANA SENATE

Pipinich, Bob	4430 Hwy 200 Marshall Grade, Missoula, 59802	33	Missoula	Democratic
Rea, Jack (Doc)	2255 Madison Rd, Three Forks, 59752	38	Gallatin	Democratic
Rye, David	2211 Oak St, Billings, 59102	47	Yellowstone	Republican
Stimatz, Lawrence G.	P.O. Box 3762, Butte, 59702	35	Silver Bow	Democratic
Svrcek, Paul S.	P.O. Box 1392, Thompson Falls, 59873	26	Sanders	Democratic
Swift, Bernie A.	236 Rose Ln, Hamilton, 59840	32	Ravalli	Republican
Thayer, Gene	1200 32 St S Apt 2, Great Falls, 59405	19	Cascade	Republican
Towe, Thomas E. (Tom)	P.O. Box 30457, Billings, 59107	46	Yellowstone	Democratic
Tveit, Larry J.	RR 1 Box 1475, Fairview, 59221	11	Richland	Republican
Van Valkenburg, Fred R.	219 University, Missoula, 59801	30	Missoula	Democratic
Vaughn, Eleanor L.	251 Mahoney Rd, Libby, 59923	1	Lincoln	Democratic
Waterman, Mignon	530 Hazelgreen Place, Helena, 59601	22	Lewis & Clark	Democratic
Weeding, Cecil F.	P.O. Box 78, Jordan, 59337	14	Garfield	Democratic
Williams, Bob	P.O. Box 390, Hobson, 59452	15	Judith Basin	Democratic
Yellowtail, Bill	P.O. Box 308, Wyola, 59089	50	Big Horn	Democratic

OFFICERS AND MEMBERS OF THE MONTANA HOUSE 1992

100 Members

61 Democrats — 39 Republicans

OFFICERS

Speaker . . . . . Hal Harper
Speaker Pro Tempore . . . . . Dave Brown
Majority Leader . . . . . Jerry Driscoll
Majority Whip . . . . . Paula Darko
Minority Leader . . . . . John Mercer
Minority Whip . . . . . Larry Grinde
Chief Clerk of the House . . . . . Joyce Andrus

MEMBERS

Name	Residence or Mailing Address	Dist No	County of Residence	Party
Bachini, Bob	409 19th St, Havre, 59501	14	Hill	Democratic
Bardanouve, Francis	P.O. Box 367, Harlem, 59526	16	Hill	Democratic
Barnett, Joe	204 N Davis, Belgrade, 59714	76	Gallatin	Republican
Barnhart, Beverly	614 S 6th, Bozeman, 59715	80	Gallatin	Democratic
Beck, Gary	93 East Side Rd, Deer Lodge, 59722	48	Lewis & Clark	Democratic
Becker, Arlene	1440 Lewis Ave, Billings, 59102	91	Yellowstone	Democratic
Benedict, Steve	P.O. Box 668, Hamilton, 59840	64	Ravalli	Republican
Bergsagel, Ernest	HC 84 Box 8045, Malta, 59538	17	Valley	Republican
Boharski, William E.	P.O. Box 2965, Kalispell, 59901	4	Flathead	Republican
Bradley, Dorothy	919 W Lamme, Bozeman, 59715	79	Gallatin	Democratic
Brooke, Vivian M.	1610 Madeline Ave, Missoula, 59801	56	Missoula	Democratic
Brown, Dave	3040 Ottawa, Butte, 59701	72	Silver Bow	Democratic
Brown, Jan	906 Madison Ave, Helena, 59601	46	Lewis & Clark	Democratic
Clark, Robert C.	P.O. Box 262, Ryegate, 59074	31	Wheatland	Republican
Cobb, John	P.O. Box 388, Augusta, 59410	42	Lewis & Clark	Republican
Cocchiarella, Vicki	535 Livingston Ave, Missoula, 59801	59	Missoula	Democratic
Cody, Dorothy A.	P.O. Box 973, Wolf Point, 59201	20	Roosevelt	Democratic
Cohen, Ben	P.O. Box 1657, Whitefish, 59937	3	Flathead	Democratic
Connelly, Mary Ellen	3315 Whitefish Stage, Kalispell, 59901	8	Flathead	Democratic
Cromley, Brent R.	235 Park Hill Dr, Billings, 59101	94	Yellowstone	Democratic
Daily, Fred (Fritz)	1057 W Steel, Butte, 59701	69	Silver Bow	Democratic
Darko, Paula A.	P.O. Box 490, Libby, 59923	2	Lincoln	Democratic
Davis, Ervin	P.O. Box 63, Charlo, 59824	53	Lake	Democratic
DeBruycker, Jane	P.O. Box 7700, Dutton, 59433	11	Teton	Democratic
DeBruycker, Roger	SR Box 8, Floweree, 59440	13	Choteau	Republican
Dolezal, Edward J.	3236 Fifth Ave S, Great Falls, 59405	34	Cascade	Democratic
Dowell, Tim	46 West View Dr, Kalispell, 59901	5	Flathead	Democratic
Driscoll, Jerry L.	4344 Stone St, Billings, 59101	92	Yellowstone	Democratic
Elliott, Jim	100 Trout Creek Rd, Trout Creek, 59874	51	Sanders	Democratic
Ellis, Jr., Alvin A.	Rt 1, P.O. Box 4840, Red Lodge, 59068	84	Carbon	Republican
Ellison, Orval S.	HC 59 Box 106, McLeod, 59052	81	Park	Republican
Fagg, Russell	221 Ave E, Billings, 59101	89	Yellowstone	Republican
Feland, Gary	215 11th Ave N, Shelby, 59474	12	Toole	Republican

OFFICERS AND MEMBERS OF THE MONTANA HOUSE

Forrester, Gary	2527 Gardiner St R 8, Billings, 59101	98	Yellowstone	Democratic
Foster, Mike	P.O. Box 126, Townsend, 59644	32	Broadwater	Republican
Galvin, Patrick G.	105 29th Ave NW, Great Falls, 59404	40	Cascade	Democratic
Gervais, Floyd (Bob)	P.O. Box 1810, Browning, 59417	9	Glacier	Democratic
Gilbert, Bob	P.O. Drawer 1228, Sidney, 59270	22	Richland	Republican
Gould, R. Budd	2205 S Fifth W, Missoula, 59801	61	Missoula	Republican
Grady, Edward J. (Ed)	Star Route, Canyon Creek, 59633	47	Lewis & Clark	Republican
Grinde, Larry Hal	RR 3, Lewistown, 59457	30	Fergus	Republican
Hansen, Stella Jean	841 Woodford St, Missoula, 59801	57	Missoula	Democratic
Hanson, H. S. (Sonny)	2237 Green Terrace Dr, Billings, 59102	87	Yellowstone	Republican
Hanson, Marian W.	P.O. Box 237, Ashland, 59003	100	Powder River	Republican
Harper, Hal	9 Comstock Rd, Helena, 59601	44	Lewis & Clark	Democratic
Harrington, Dan W.	1201 N Excelsior, Butte, 59701	68	Silver Bow	Democratic
Hayne, Harriet	P.O. Box 285, Dupuyer, 59432	10	Pondera	Republican
Hoffman, David	2720 Hwy 287, Sheridan, 59749	74	Madison	Republican
Johnson, John	124 Gresham, Glendive, 59330	23	Dawson	Democratic
Johnson, Royal C.	2915 Illinois, Billings, 59102	88	Yellowstone	Republican
Kadas, Mike	922 Taylor, Missoula, 59802	55	Missoula	Democratic
Kasten, Betty Lou	HC 77 Box A-14, Brockway, 59214	28	McCone	Republican
Keller, Vernon V.	HC 55 Box 355, Fishtail, 59028	83	Stillwater	Republican
Kilpatrick, Thomas E.	814 First Ave Box 546, Laurel, 59044	85	Yellowstone	Democratic
Kimberley, Bervyl C. (Berv)	2511 Wyoming Ave, Billings, 59102	90	Yellowstone	Democratic
Knox, Dick	HCR Box 14, Winifred, 59489	29	Fergus	Republican
Larson, Don	P.O. Box 285, Seeley Lake, 59868	65	Missoula	Democratic
Lee, Thomas N.	P.O. Box 261, Bigfork, 59911	49	Lake	Republican
Madison, James	Jefferson City, 59638	75	Jefferson	Democratic
McCaffree, Ed	P.O. Box 1354, Forsyth, 59327	27	Rosebud	Democratic
McCarthy, Bea	1906 Ogden, Anaconda, 59711	66	Deer Lodge	Democratic
McCulloch, Scott T.	611 Tabriz Dr, Billings, 59105	96	Yellowstone	Democratic
Measure, Bruce	P.O. Box 918, Kalispell, 59903	6	Flathead	Democratic
Menahan, William T. (Red)	1304 W Fifth, Anaconda, 59711	67	Deer Lodge	Democratic
Mercer, John A.	P.O. Box 450, Polson, 59860	50	Lake	Republican
Messmore, Charlotte K.	14 20th St S, Great Falls, 59401	38	Cascade	Republican
Nelson, Linda J.	HC 51 Box 30, Medicine Lake, 59247	19	Sheridan	Democratic
Nelson, Thomas E.	1116 Moon Valley Rd, Billings, 59105	95	Yellowstone	Republican
Nisbet, Jerry	1401 Park Garden Rd, Great Falls, 59401	35	Cascade	Democratic
O'Keefe, Mark	531 Power St, Helena, 59601	45	Lewis & Clark	Democratic
Pavlovich, Robert J. (Bob)	1375 Harrison Ave, Butte, 59701	70	Silver Bow	Democratic
Peck, Ray	729 Fourth Ave, Havre, 59501	15	Hill	Democratic
Peterson, Mary Lou	234 Glen Lake Dr, Eureka, 59917	1	Lincoln	Republican
Phillips, John E.	1200 32nd St S #61, Great Falls, 59405	33	Cascade	Republican
Quilici, Joe	3040 Kossuth, Butte, 59701	71	Silver Bow	Democratic
Raney, Bob	212 S Sixth St, Livingston, 59047	82	Park	Democratic
Ream, Robert R. (Bob)	5950 Wildcat Rd, Missoula, 59802	54	Misoula	Democratic
Rice, Jim	1525 Williamsburg Rd, Helena, 59601	43	Lewis & Clark	Republican
Rice, Sheila	1501 4th Ave N, Great Falls, 59401	36	Cascade	Democratic
Russell, Angela	P.O. Box 333, Lodge Grass, 59050	99	Big Horn	Democratic
Schye, Ted	N Star Route, Glasgow, 59230	18	Valley	Democratic
Scott, John F.	P.O. Box 58, Ballantine, 59006	97	Yellowstone	Democratic
Simpkins, Richard D.	1221 Park Garden Rd, Great Falls, 59404	39	Cascade	Republican
Southworth, Jim	3843 Sandpiper Lane, Billings, 59102	86	Yellowstone	Democratic

Spring, Wilbur	2383 Penwell Bridge Rd, Belgrade, 59714	77	Gallatin	Republican
Squires, Carolyn M.	2111 S Tenth St W, Missoula, 59801	58	Missoula	Democratic
Stang, Barry (Spook)	142 Montana Hwy 135 S, St. Regis, 59866	52	Mineral	Democratic
Steppler, Don	P.O. Box 431, Brockton, 59213	21	Richland	Democratic
Stickney, Jessica	2206 Main St, Miles City, 59301	26	Custer	Democratic
Strizich, William S. (Bill)	736 27th Ave NE, Great Falls, 59404	41	Cascade	Democratic
Swysgood, Charles	506 S Atlantic, Dillon, 59725	73	Beaverhead	Republican
Thoft, Bob	1520 S Burnt Fork Rd, Stevensville, 59870	63	Ravalli	Republican
Thomas, Fred	3566 Holy Lane, Stevensville, 59870	62	Ravalli	Republican
Toole, Howard	1625 McDonald, Missoula, 59801	60	Missoula	Democratic
Tunby, Rolph	Box 56, Plevna, 59344	24	Fallon	Republican
Wallin, Norm	2422 Springcreek Dr, Bozeman, 59715	78	Gallatin	Republican
Wanzenried, David E.	435 3rd Ave NE, Kalispell, 59901	7	Flathead	Democratic
Whalen, Timothy J.	101 Avenue C, Billings, 59101	93	Yellowstone	Democratic
Wyatt, Diana E.	300 31st St S, Great Falls, 59405	37	Cascade	Democratic
Zook, Tom	c/o Broadus Stage, Miles City, 59301	25	Custer	Republican

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SENATE JOURNAL

OF THE

FIFTY-SECOND LEGISLATURE

OF THE

STATE OF MONTANA

In Special Session

July 6 through July 18, 1992

Joseph P. Mazurek
President of the Senate

Dave Hunter
Secretary of the Senate

Jody Bird
Journal Clerk

Ben J. Harris
Assistant Journal Clerk

Published by

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FIRST LEGISLATIVE DAY

Helena, Montana
July 6, 1992

Senate Chambers
State Capitol

President Mazurek called the Second Special Session of the 52nd Legislature to order at 10:05 a.m.

COMMUNICATIONS AND PETITIONS

TO: Members of the Montana State Senate
Members of the Montana House of Representatives
Members of the Montana Supreme Court
Montana State Elected Officials

GOVERNOR'S CALL TO CONVENE THE MONTANA LEGISLATURE INTO SPECIAL SESSION

On June 19, 1992, I issued a call to convene the Second Special Session of the 52nd Montana Legislature.

By the power vested in me in Section 6, Article V and Section 11, Article VI of the Montana Constitution and such other applicable laws, and having determined that it is in the public interest to do so, in addition to the items identified in the June 19, 1992 Call, I hereby request the Montana Legislature to consider action on the following items:

1. Confirming Ted O. Lympus, District Judge for the Eleventh Judicial District Court for the state of Montana. District Judge Lympus was appointed to the position of district judge on April 3, 1992.

2. Requesting the legislature, by joint resolution, to continue a state of disaster designation for the state of Montana as a result of the continuing drought conditions affecting the state, pursuant to section 10-3-303, MCA.

3. Any measure to refer to the people for a vote in the November 1992 general election, any and all matters relating to a sales tax, including, but not limited to any legislation and/or constitutional amendment(s).

4. Any measure pertaining to revising and/or reforming the tax structure(s) and/or tax system(s) for the state of Montana.

SPECIAL ORDERS OF THE DAY

Lieutenant John Walsh and members of the Montana National Guard posted the colors, followed by the Pledge of Allegiance to the flag.

Invocation by Senator Tom Keating.

President Mazurek welcomed the senators to Helena.

Roll Call. All members present except Senator Vaughn, excused. Quorum present.

MOTIONS

Majority Leader Van Valkenburg moved that the officers, organization, senate rules and joint rules of the 52nd legislative assembly be made the officers, organization, senate rules and joint rules of the special session of the 52nd legislative assembly, with the exception of joint rules which are amended or deleted, as shown by the handout for the First Special Session of the 52nd Legislature, marked "amended or deleted rules". Motion carried unanimously.

Majority Leader Van Valkenburg moved that the President appoint a select committee of three to notify the Governor that the Senate was organized and ready for business. Motion carried. The President appointed the following committee:

Sen. Blaylock, Chair
Sen. Kennedy
Sen. Grosfield

Majority Leader Van Valkenburg moved that the President appoint a select committee of three to notify the Chief Justice and members of the Supreme Court that the Senate was organized and ready for business. Motion carried. The President appointed the following committee:

Sen. Stimatz, Chair
Sen. Eck
Sen. Harding

Majority Leader Van Valkenburg moved that the President appoint a select committee of three to notify the House of Representatives that the Senate was organized and ready to do business. Motion carried unanimously. The President appointed the following committee:

Sen. Halligan, Chair
Sen. Franklin
Sen. Rye

The President excused the committee members to preform their assigned duties.

Majority Leader Van Valkenburg moved that the Senate stand in recess subject to the call of the chair. Motion carried.

REPORTS OF SELECT COMMITTEES

Sergeant at Arms Linda Carlson announced the return of the select committees and escorted them to the well of the Senate.

Senator Blaylock and the committee to notify the Governor reported that he wished their work to go well, so that their stay will not be long. President Mazurek thanked the committee and discharged them.

Senator Stimatz and the committee to notify the Chief Justice and the Supreme Court reported that the Chief Justice wished them well and a rapid adjournment. President Mazurek thanked the committee and discharged them.

Senator Halligan and the committee to notify the House of Representatives reported that the House is ready to do business in an orderly fashion. President Mazurek thanked the committee and discharged them.

MOTIONS

Majority Leader Van Valkenburg moved that the accredited members of the press, radio, and television, be granted the privilege of the Senate floor subject to the rules. Motion carried unanimously.

REPORTS OF STANDING COMMITTEES

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman) 7/6/92
Recommended employment of the following attaches as of 8 a.m., Monday, July 6, 1992.

TITLE	NAME
Secretary of the Senate	David Hunter
Sergeant-at-Arms	Linda S. Carlson
Asst. Secretary of the Senate	Sue Bartlett
Word Processing Supervisor	Linda Casey
Journal Clerk	Jody Bird
Bills Coordinator	Poody McLaughlin
Amendments Coordinator	John Ilgenfritz
Asst. Sergeant-at-Arms	Tre' Kennedy
Asst. Sergeant-at-Arms	Ken Martello
Secretary to the Secretary of the Senate	Shari Briggeman
Secretary to the Asst. Secretary of the Senate	Susan Brunner
Secretary to President	Janean Meacham
Secretary to Minority Leader	Rosemary Jacoby
Secretary to Minority Whip	Bernie Nelson
Status Input	Ben Harris
Doorman	Hal Stearns
Finance and Claims Secretary	Lynn Staley
Page	Ann Campbell
Page	Jaret Foster
Page	Colleen Mazurek
Page	Paul Perrigo
Page	Conn McKelvey
Page	Eric Ashley

Senator Blaylock moved adoption of committee report. Report adopted.

COMMITTEE ON COMMITTEES (Jergeson, Chairman) 7/6/92
Recommend the following committee appointments:

To the Judiciary Committee:

Senators: Yellowtail, Chair
Doherty, Vice Chair
Jacobson

To the Education Committee:

Senator Christiaens to replace Senator Pinsoneault

To Fish and Game:

Senator: Halligan

To Labor and Employment Relations:

Senators: Towe, Chair
Pipinich, Vice Chair

Senator Jergeson moved adoption of committee report. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Van Valkenburg moved that the Senate adjourn until 8 a.m., Tuesday, July 7, 1992. Motion carried.

Senate adjourned at 10:35 a.m.

JOSEPH P. MAZUREK
President of the Senate

DAVE HUNTER
Secretary of the Senate

SECOND LEGISLATIVE DAY

Helena, Montana
July 7, 1992

Senate Chambers
State Capitol

Senate convened at 8:05 a.m. President Mazurek presiding. Invocation by Senator Waterman. Pledge of Allegiance to the flag.

Roll Call. All members present, except Senator Vaughn, excused, and Senator Aklestad, absent. Quorum present.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

SB 1, introduced by Jacobson, Kadas and referred to Committee on Education.
SB 2, introduced by Jacobson, Kadas and referred to Committee on Education.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Van Valkenburg moved the Senate recess until 4 p.m. this day. Motion carried.

Senate recessed at 8:13 a.m.

Senate reconvened at 4:08 p.m. President Mazurek presiding.

Roll call. All members present except Senators Vaughn, Koehnke, and Harp, excused. Quorum present.

MESSAGES FROM THE GOVERNOR

July 6, 1992

The Honorable Joe Mazurek
President
Montana State Senate
State Capitol
Helena, MT 59620

Dear President Mazurek:

I am herein transmitting the name of Ted O. Lympus for confirmation as District Court Judge for the Eleventh Judicial District, Montana.

Judge Lympus was appointed on April 3, 1992. Judge Lympus replaces former District Judge Bart Erickson.

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

SB 3, introduced by Farrell, Gage, Burnett, and Hammond, referred to Committee on Finance and Claims

MOTIONS

Senator Farrell moved that all Senators be under Finance and Claims Committee, not the subcommittees, and that Finance and Claims be run on the Senate floor by Senator Jacobson, Chair, so that questions can be asked in the open, in public, encouraging public participation.

Motion failed by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Brown, Burnett, Devlin, Farrell, Gage, Grosfield, Hager, Hammond, Harding, Keating, Noble, Pinsoneault, Rea, Rye, Swift, Thayer.
Total 20

Nays: Bianchi, Blaylock, Bruski, Christiaens, Crippen, Doherty, Eck, Franklin, Fritz, Halligan, Hockett, Jacobson, Jergeson, Kennedy, Lynch, Pipinich, Stimatz, Svrcek, Towe, Tveit, Van Valkenburg, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 26

Absent or not voting: Nathe.
Total 1

Excused: Harp, Koehnke, Vaughn.
Total 3

Majority Leader Van Valkenburg moved the Senate adjourn until 8 a.m., Wednesday, July 8, 1992. Motion carried.

Senate adjourned at 4:39 p.m.

JOSEPH P. MAZUREK
President of the Senate

DAVE HUNTER
Secretary of the Senate

THIRD LEGISLATIVE DAY

Helena, Montana — Senate Chambers
July 8, 1992 — State Capitol

Senate convened at 8:09 a.m. President Mazurek presiding. Invocation by Senator Gage. Pledge of Allegiance to the flag.

Roll Call. All members present. Quorum present.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Van Valkenburg moved the Senate recess until 4 p.m. this day. Motion carried.

Senate recessed at 8:15 a.m.

Senate reconvened at 4:05 p.m. President Mazurek presiding.

Roll call. All members present except Senator Stimatz excused, Senators Koehnke and Pipinich absent. Quorum present.

REPORTS OF STANDING COMMITTEES

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman):
7/8/92

SB 1, introduced bill, be amended as follows:

1. Title, line 8.
Following: "DATE"
Insert: "AND A TERMINATION DATE"

2. Page 3, lines 23 and 24.
Following: "date"
Insert: "-- termination"
Following: "approval" on line 24
Insert: "and terminates June 30, 1993"

and as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

SB 4, introduced by Doherty, referred to Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Majority Leader Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Lynch in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 1 - Senator Jacobson moved that SB 1 do pass. Motion carried unanimously.

REPORTS OF STANDING COMMITTEES

BILLS AND JOURNAL (Pipinich, Chairman): 7/8/92
Correctly engrossed: SB 1

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 1 passed by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Franklin, Fritz, Gage, Grosfield, Hager, Halligan, Hammond, Harding, Harp, Hockett, Jacobson, Jergeson, Keating, Kennedy, Lynch, Nathe, Noble, Pinsoneault, Rea, Rye, Svrcek, Swift, Thayer, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Nays: None.
Total 0

Absent or not voting: Koehnke, Pipinich.
Total 2

Excused: Stimatz.
Total 1

REPORTS OF STANDING COMMITTEES

BILLS AND JOURNAL (Pipinich, Chairman): 7/8/92
Correctly enrolled: SB 1

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Van Valkenburg moved the Senate adjourn until 8 a.m., Thursday, July 9, 1992. Motion carried.

Senate adjourned at 4:12 p.m.

JOSEPH P. MAZUREK
President of the Senate

DAVE HUNTER
Secretary of the Senate

FOURTH LEGISLATIVE DAY

Helena, Montana
July 9, 1992

Senate Chambers
State Capitol

Senate convened at 8:06 a.m. President Mazurek presiding. Invocation by Senator Kennedy. Pledge of Allegiance to the flag.

Roll Call. All members present, except Senator Beck, excused. Quorum present.

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

SB 5, introduced by B. Brown, referred to Committee on Taxation

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Van Valkenburg moved the Senate recess until 4 p.m. this day. Motion carried.

Senate recessed at 8:10 a.m.

Senate reconvened at 4:06 p.m. President Mazurek presiding.

Roll call. All members present except Senator Williams, excused. Quorum present.

COMMUNICATIONS AND PETITIONS

July 9, 1992

The Honorable Stan Stephens
Governor
State of Montana
Helena, Montana 59620

The Honorable Joe Mazurek
President of the Senate
Montana Senate
Helena, Montana 59620

The Honorable Hal Harper
Speaker of the House
Montana House of Representatives
Helena, Montana 59620

Dear Governor Stephens, President Mazurek and Speaker Harper:

A majority of legislators have petitioned for a special session of the Legislature to consider legislation to create a moratorium until October 1, 1993 on the consideration of permits authorizing the importing or burning of hazardous or medical waste.

The petition calls for the special session to run concurrently with the special session beginning July 6, 1992, called by the Governor.

In accordance with section 5-3-101, MCA, the petition has been filed, the signatures on the petition have been checked and the petition has been certified as meeting the requirements to call a special session.

A certified copy of the petition is attached. Please feel free to contact me if you have any questions about this process.

Sincerely,

MIKE COONEY
Secretary of State

July 9, 1992

The Honorable Stan Stephens
Governor
State of Montana
Helena, Montana 59620

The Honorable Joe Mazurek
President of the Senate
Montana Senate
Helena, Montana 59620

The Honorable Hal Harper
Speaker of the House
Montana House of Representatives
Helena, Montana 59620

Dear Governor Stephens, President Mazurek and Speaker Harper:

A majority of legislators have petitioned for a special session of the Legislature to consider legislation to extend the permissible time period for agency liquor store agreements and to provide for the renewal of existing agreements.

The petition calls for the special session to run concurrently with the special session beginning July 6, 1992, called by the Governor.

In accordance with section 5-3-101, MCA, the petition has been filed, the signatures on the petition have been checked and the petition has been certified as meeting the requirements to call a special session.

A certified copy of the petition is attached. Please feel free to contact me if you have any questions about this process.

Sincerely,

MIKE COONEY
Secretary of State

MESSAGES FROM THE OTHER HOUSE

House bill passed and transmitted to the Senate for concurrence:

HB 1, introduced by Representative Bardanouve

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

SB 6, introduced by Towe, B. Brown, referred to Committee on Finance and Claims
SB 7, introduced by Towe, referred to Committee on Finance and Claims
HB 1, introduced by Bardanouve, referred to Committee on Finance and Claims

Majority Leader Van Valkenburg moved the Senate adjourn until 8 a.m., Friday, July 10, 1992. Motion carried.

Senate adjourned at 4:14 p.m.

JOSEPH P. MAZUREK
President of the Senate

DAVE HUNTER
Secretary of the Senate

The petition calls [illegible]
special session beginning [illegible]
[illegible] concurrence:

In accordance with [illegible]
signatures on the petition [illegible]
certified as meeting the [illegible] to [illegible]

A certified copy of the petition is attached.

[illegible]

Sincerely,

[illegible]

Clerk of
the Senate

SS 2 introduced by [illegible], referred to Committee on Finance and Claims

HB 1 introduced by Bardanouve, referred to Committee on Finance and Claims

July 8, 1992

Majority Leader Van Valkenburg moved the Senate adjourn until 10:00 a.m. Friday, July 10. Motion carried.

[illegible]

Respectfully,

[illegible]

Helena, Montana 59620

[illegible] adjourned at 4:14 p.m.

JOSEPH P. MAZUREK
President of the Senate
Montana Senate
Helena, Montana 59620

The Honorable Ric Harper
Speaker of the House
Montana House of Representatives
Helena, Montana 59620

Dear Governor Stephens, President Mazurek and Speaker Harper:

A majority of legislators have petitioned for a special legislature to consider legislation to extend the permissible agency liquor store agreements and to provide for the [illegible] agreements.

The petition calls for the special session to [illegible] with the special session beginning July 8, 1992, called by the Governor.

In accordance with section 5-3-101, MCA, the [illegible] signatures on the petition have been checked [illegible] certified as meeting the requirements to [illegible]

FIFTH LEGISLATIVE DAY

Helena, Montana — Senate Chambers
July 10, 1992 — State Capitol

Senate convened at 8:02 a.m. President Pro Tem Lynch presiding. Invocation by Senator Harding. Pledge of Allegiance to the flag.

Roll call. All members present, except Senators Mazurek, Halligan, and Williams, excused. Quorum present.

COMMUNICATIONS AND PETITIONS

BILLS AND JOURNAL (Pipinich, Chairman): 7/10/92
Correctly printed and placed on members' desks: SR 1

MESSAGES FROM THE OTHER HOUSE

Senate bill concurred in and returned to the Senate:

SB 1, introduced by Jacobson

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Van Valkenburg moved the Senate recess until 11:15 a.m. this day. Motion carried.

Senate recessed at 8:09 a.m.

Senate reconvened at 11:46 a.m. President Pro Tem Lynch presiding.

Roll call. All members present except Senators Halligan, Mazurek, and Williams, excused, and Senators Crippen, Doherty, Hager, Jacobson, Jergeson, Koehnke, and Yellowtail, absent. Quorum present.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

SB 8, introduced by Keating, referred to Committee on Finance and Claims
SB 9, introduced by Keating, referred to Committee on Taxation
SB 10, introduced by Keating, referred to Committee on Finance and Claims
SB 11, introduced by Doherty and Ream, referred to Committee on Taxation
SB 12, introduced by Keating, Pinsoneault, Harding, Nathe, Kasten, Gage, Hayne, Barnett, and Lee, referred to Committee on Finance and Claims
SB 13, introduced by Jergeson, Nathe, Cobb, and Schye, referred to Committee on Taxation

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Van Valkenburg moved the Senate recess until 4 p.m. this day. Motion carried.

Senate recessed at 11:50 a.m.

Senate reconvened at 4:05 p.m. President Pro Tem Lynch presiding.

Roll call. All members present except Senators Bruski, Eck, and Kennedy, excused, and Senators Crippen and Weeding, absent. Quorum present.

REPORTS OF STANDING COMMITTEES

FINANCE and CLAIMS (Jacobson, Chairman): 7/10/92
HB 1, be concurred in. Report adopted.

JUDICIARY (Yellowtail, Chairman): 7/10/92
SR 1, be adopted. Report adopted.

MOTIONS

Majority Leader Van Valkenburg moved to suspend the rules to eliminate the three-day wait period for adoption of the Senate Judiciary Committee's preliminary report recommending adoption of SR 1 (approving nomination of Judge Ted Lympus, Eleventh Judicial District).

Motion carried by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Bianchi, Blaylock, Burnett, Christiaens, Devlin, Doherty, Farrell, Franklin, Fritz, Gage, Grosfield, Hager, Halligan, Hammond, Harding, Harp, Hockett, Jacobson, Jergeson, Keating, Koehnke, Lynch, Nathe, Noble, Pipinich, Rea, Rye, Svrcek, Swift, Thayer, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Williams, Yellowtail, Mr. President.
Total 42

Nays: None.
Total 0

Absent or not voting: Brown, Crippen, Pinsoneault, Stimatz, Weeding.
Total 5

Excused: Bruski, Eck, Kennedy.
Total 3

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Van Valkenburg moved the Senate adjourn until 8 a.m., Saturday, July 11, 1992. Motion carried.

Senate adjourned at 4:12 p.m.

JOSEPH P. MAZUREK
President of the Senate

DAVE HUNTER
Secretary of the Senate

Roll call. All members present or
excused, and Senators Crip

FINANCE and CLAIMS (Jacob
FIN 1, be concurred in. Report

JUDICIARY (Yellowtail
JUD 1, be adopted. Report

Motion by Senator Van Valkenburg mo
the three-day wait period for adoption of Mr. Bennett's Judiciary Committee
preliminary report recommend the adoption of SR 1 (approving no nomination
Elizabeth Lynott, Eleventh Judicial District

Motion carried by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Bis
Christiaens, Devlin, Doherty, Farrell, Franklin,
Hager, Halligan, Hansen, Harding, Harp,
Healing, Lenhoff, Lynch, Mathew, Noble, Pipe
Thayer, Towe, Tveit, Van Valkenburg, Ye
Yellowtail, Mr. President.
Total

Nays: None.
Total

Absent or not voting: Brown, Crippen, Turnoneau,
Total

SIXTH LEGISLATIVE DAY

Helena, Montana — Senate Chambers
July 11, 1992 — State Capitol

Senate convened at 8 a.m. President Mazurek presiding. Invocation by Senator Svrcek. Pledge of Allegiance to the flag.

Roll Call. All members present, except Senators Beck, Bruski, Eck, Farrell, Harp, Kennedy, Stimatz, and Towe, excused. Quorum present.

COMMUNICATIONS AND PETITIONS

BILLS AND JOURNAL (Pipinich, Chairman): 7/10/92
Signed by the President at 4:15 p.m., July 10, 1992: SB 1
Delivered to the Governor for his approval at 4:40 p.m., July 10, 1992: SB 1

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Jacobson, Chairman): 7/10/92
HB 1, be concurred in. Report adopted.

JUDICIARY (Yellowtail, Chairman): 7/10/92
SR 1, Preliminary Report be adopted. Report adopted.

ADVERSE COMMITTEE REPORT

TAXATION (Halligan, Chairman): 7/10/92
SB 5, do not pass. Adverse Committee Report adopted by the following vote:

Yeas: Bengtson, Bianchi, Blaylock, Christiaens, Doherty, Franklin, Fritz, Gage, Halligan, Hockett, Jacobson, Jergeson, Koehnke, Lynch, Pipinich, Rea, Svrcek, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 24

Nays: Aklestad, Anderson, Brown, Burnett, Crippen, Devlin, Grosfield, Hager, Hammond, Harding, Keating, Nathe, Noble, Pinsoneault, Rye, Swift, Thayer, Tveit.
Total 18

Absent or not voting: None.
Total 0

Excused: Beck, Bruski, Eck, Farrell, Harp, Kennedy, Stimatz, Towe.
Total 8

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Majority Leader Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Gage in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 1 - Senator Jacobson moved that HB 1 be concurred in. Motion carried with Senator Burnett voting nay.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 1 concurred in by the following vote:

Yeas: Aklestad, Anderson, Bengtson, Bianchi, Blaylock, Brown, Christiaens, Crippen, Devlin, Doherty, Franklin, Fritz, Gage, Grosfield, Hager, Halligan, Hammond, Harding, Hockett, Jacobson, Jergeson, Keating, Koehnke, Lynch, Nathe, Noble, Pinsoneault, Pipinich, Rea, Rye, Svrcek, Swift, Thayer, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Nays: Burnett.
Total 1

Absent or not voting: None.
Total 0

Excused: Beck, Bruski, Eck, Farrell, Harp, Kennedy, Stimatz, Towe.
Total 8

SPECIAL ORDERS OF THE DAY

SR 1- Senator Yellowtail moved that the Standing Committee Report on SR 1 be adopted. Report adopted by the following vote:

Yeas: Aklestad, Anderson, Bengtson, Bianchi, Blaylock, Brown, Burnett, Christiaens, Crippen, Devlin, Doherty, Franklin, Fritz, Gage, Grosfield, Hager, Halligan, Hammond, Harding, Hockett, Jacobson, Jergeson, Keating, Koehnke, Lynch, Nathe, Noble, Pinsoneault, Pipinich, Rea, Rye, Svrcek, Swift, Thayer, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Nays: None.
Total 0

Absent or not voting:
Total 0

Excused: Beck, Bruski, Eck, Farrell, Harp, Kennedy, Stimatz, Towe.
Total 8

President Mazurek announced that the vote on SR 1 would remain open to allow those Senators absent this date to cast their vote on Monday, July 13, 1992.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Van Valkenburg moved the Senate adjourn until 8:30 a.m., Monday, July 13, 1992. Motion carried.

Senate adjourned at 8:19 a.m.

JOSEPH P. MAZUREK
President of the Senate

DAVE HUNTER
Secretary of the Senate

[illegible]
Hammond, [illegible] Hoeft, Jackson, [illegible]
Lynch, Nathe, Noble, Oommenaitt, Pritchard, [illegible]
Twitt, Van Valkenburg, Vaughn, [illegible]
Mr. President.
Total 41

Nays: Burnett.
Total 1

Absent or not voting: None.
Total 0

Excused: Beck, Brandt, Erb, Farrell, Hare, Kennedy, Sluna.
Total 5

CONSENT CALENDAR OF THE DAY

[illegible] Bill 1 "Relating to Yellowstone [illegible] the St[illegible]
[illegible] special advertisement [illegible]

Yeas: Alderson, Anderson, Bergquist, [illegible]
Christiansen, Crippen, Dredge, Doherty,
Finger, Halligan, Hammond, Harding, [illegible]
Kosinke, Lynch, Nathe, Noble, [illegible]
Smith, Thayer, Twitt, Van Valkenburg,
Williams, Yellowtail, Mr. President.
Total 4

Nays: None.
Total 0

Absent or not voting:

SEVENTH LEGISLATIVE DAY

Helena, Montana
July 13, 1992

Senate Chambers
State Capitol

Senate convened at 1:06 p.m. President Mazurek presiding. Invocation by Senator Pinsoneault. Pledge of Allegiance to the flag.

Roll call. All members present, except Senators Brown and Williams, excused. Quorum present.

MESSAGES FROM THE OTHER HOUSE

House bill passed and transmitted to the Senate for concurrence:

HB 2, introduced by Representative Thoft

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

HB 2, introduced by Thoft, and referred to the Committee on Finance and Claims

UNFINISHED BUSINESS

SR 1 - Senators Beck, Bruski, Eck, Farrell, Harp, Kennedy, Stimatz, and Towe each cast a voice vote of yea on SR 1 under the rules suspension approved on legislative day five. The final vote on SR 1 confirming the Governor's nomination and appointment of Judge Ted O. Lympus to the Eleventh Judicial District was unanimous.

Resolution adopted by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Franklin, Fritz, Gage, Grosfield, Hager, Halligan, Hammond, Harding, Harp, Hockett, Jacobson, Jergeson, Keating, Kennedy, Koehnke, Lynch, Nathe, Noble, Pinsoneault, Pipinich, Rea, Rye, Stimatz, Svrcek, Swift, Thayer, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Van Valkenburg moved the Senate adjourn until 10 a.m., Tuesday, July 14, 1992. Motion carried.

Senate adjourned at 1:16 p.m.

JOSEPH P. MAZUREK
President of the Senate

DAVE HUNTER
Secretary of the Senate

EIGHTH LEGISLATIVE DAY

Helena, Montana
July 14, 1992

Senate Chambers
State Capitol

Senate convened at 10:26 a.m. President Mazurek presiding. Invocation by Senator Eck. Pledge of Allegiance to the flag.

Roll call. All members present. Quorum present.

Mr. President: We, your committee on Bills and Journal, having examined the daily journal for the first, second, third, and fourth legislative days, find the same to be correct.

Pipinich, Chairman

REPORTS OF STANDING COMMITTEES

BILLS AND JOURNAL (Pipinich, Chairman): 7/13/92
Correctly enrolled: SR 1
Correctly printed and placed on members' desks: SB 13

FINANCE AND CLAIMS (Jacobson, Chairman): 7/13/92
HB 2, third reading copy, be amended as follows:

1. Page BP-4, line 11.
Following: "education"
Insert: ", but excluding the balance of the Montana university system,"

2. Page BP-4, line 12.
Following: "5% of the"
Insert: "personal services"

3. Page BP-4, line 13.
Following: "Authorized"
Strike: "employee"
Insert: "FTEs and the budget of the"

4. Page BP-4, line 14.
Following: "job"
Strike: "description"
Insert: "title"

5. Page BP-4, line 14.
Following: "be"
Insert: "the same as"

6. Page BP-4, line 15.
Following: "provided"
Strike: "to"
Insert: "by"

7. Page BP-4.
Following: line 15
Insert: "NEW SECTION. Section 14. Vacancy savings required.
(1) A budgeted position in an agency that was not filled on June 26, 1992, may not be filled in fiscal 1993, except:

(a) positions necessary for compliance with the order of a court;

(b) positions required to maintain certification or licensing of a state facility or institution, which certification or licensing is necessary for the receipt of federal money;

(c) positions in an agency comprised of 20 or fewer persons;

(d) positions in legislative agencies during legislative session; and

(e) positions in the Montana university system.

(2) A position not filled in accordance with subsection (1) and positions in the Montana university system unfilled on June 26, 1992, may not be included in the budget base for the 1994-95 biennium. The Montana university system shall include in its 1994-95 biennium budget a report identifying those positions not included in the budget base in accordance with this subsection."

Renumber: subsequent sections

8. Page A-7, line 25.
Strike: "146,407"
Insert: "138,936"

9. Page B-2, line 2.
Strike: line 2 in its entirety
Insert: "814,875 (general fund, fiscal 1993)
1,401,616 (state special, fiscal 1993)"

10. Page B-7, lines 7 and 8.
Strike: lines 7 and 8 in their entirety

11. Page B-10, line 23.

Strike: "814,731"	"53,684"	"2,187,605"	"3,056,020"
Insert: "0"	"0"	"0"	"0"

12. Page B-15, line 20.
Strike: "40.5%"
Insert: "38%"

13. Page C-11, line 19.
Strike: "3,000,000"
Insert: "1,000,000"

14. Page C-13, line 2.
Strike: "0" (general fund 1993)
"415,337" (state special revenue 1993)
Insert: "62,714" (general fund 1993)
"352,623" (state special revenue 1993)

15. Page C-13, line 7.
Strike: "0" (general fund 1993)
"768,241" (state special revenue 1993)
Insert: "314,978" (general fund 1993)
"453,263" (state special revenue 1993)

16. Page C-13, line 12.
Strike: "0" (general fund 1993)
"149,680" (state special revenue 1993)
Insert: "149,680" (general fund 1993)

17. Page C-13, line 25.
Strike: "0" (general fund 1993)
"225,510" (state special revenue 1993)
Insert: "225,510" (general fund 1993)

18. Page C-14.
Strike: lines 6 through 11 in their entirety

19. Page C-19, line 25 through page C-20, line 1.
Strike: line 25 on page C-19 through line 1 on page C-20.

20. Page D-1, line 25.
Strike: "737,251" (General Fund, Fiscal 1993)
Insert: "937,251" (General Fund, Fiscal 1993)

21. Page D-4.
Strike: lines 18 and 19 in their entirety

22. Page D-5, line 11.
Strike: "26,910" (general fund, fiscal 1993)

23. Page E-9, line 17.
Strike: "4,854,262"
Insert: "4,724,568"

24. Page E-12, line 21.
Strike: "14,986,881 9,665,958"
Insert: "15,504,308 9,148,531"

25. Page E-14, line 15.
Strike: "20,033,758 10,306,716"
Insert: "20,608,791 9,731,683"

26. Page E-16, line 6.
Strike: "3,320,949 2,133,825"
Insert: "3,411,274 2,043,500"

27. Page E-17, line 15.
Strike: "2,893,079 5,206,805"
Insert: "3,095,181 5,004,703"

28. Page E-19, line 4.
Strike: "2,669,051 1,847,556"
Insert: "2,764,317 1,752,290"

29. Page E-20, line 13.
Strike: "1,473,506 1,086,188"
Insert: "1,526,351 1,033,343"

30. Page E-21, following line 22.
Insert: "Included within current unrestricted funds (contained in the "other" column) to the six university units is the sum of $11,887,000 in fiscal 1992 and $12,131,000 in fiscal 1993 from revenue generated under the provisions of 20-25-423. The department of revenue shall levy the full 6 mills as authorized in 20-25-423. Revenue received by the university system under the provisions of 20-25-423 that exceeds $11,887,000 in fiscal 1992 and $12,131,000 in fiscal 1993 is appropriated to the office of the commissioner of higher education for distribution to the university system and must be added by budget amendment by the board of regents in a manner so as to offset reductions in the university system appropriation in [this act] from the levels contained in The General Appropriations Act of 1991 and acts supplementary thereto."

31. Page E-25, line 15.
Strike: "109,539"
Insert: "57,353"

LFA will adjust totals.

And, as amended, be concurred in. Report adopted.

TAXATION (Halligan, Chairman): 7/13/92
SB 13, first reading copy, be amended as follows:

1. Page 5, line 2.
Strike: "allocation" through "subsection"
Insert: "the allocations provided by subsections"
Following: "(1)"
Insert: "and (2)"

And, as amended, do pass. Report adopted.

ADVERSE COMMITTEE REPORT

SB 9 - Senator Halligan moved the adverse committee report on SB 9 be adopted. Motion carried as follows:

Yeas: Anderson, Bengtson, Bianchi, Blaylock, Brown, Bruski, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Franklin, Fritz, Gage, Hager, Halligan, Harding, Harp, Hockett, Jacobson, Jergeson, Keating, Kennedy, Lynch, Pinsoneault, Pipinich, Rea, Rye, Stimatz, Svrcek, Thayer, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Nays: Aklestad, Burnett, Grosfield, Hammond, Koehnke, Nathe, Noble, Swift, Tveit.
Total 9

Absent or not voting: Beck.
Total 1

Excused: None.
Total 0

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 7/13/92
Recommend that the following attaches of the Senate be employed as of 8:00 a.m., Monday, July 13, 1992:

Jason Thielman	Page
Stephanie Hermanson	Page
Wade Farrell	Page
Jesse Brunner	Page

Report adopted.

MESSAGES FROM THE GOVERNOR

July 13, 1992

The Honorable Joseph P. Mazurek
President
Montana State Senate
State Capitol
Helena, MT 59620

Dear President Mazurek:

Please be informed that I have signed Senate Bill 1 on July 13, 1992.

Sincerely,

STAN STEPHENS
Governor

MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence:

HB 6, introduced by Thoft
HB 12, introduced by Bardanouve
HB 25, introduced by Cody
HJR 1, introduced by Harper

MOTIONS

Majority Leader Van Valkenburg moved that the rules of the Senate be temporarily suspended to allow staff members from the Legislative Fiscal Analyst's office and the Office of Budget and Program Planning to be on the floor of the Senate this legislative day for the debate of HB 2. Motion carried unanimously.

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

SB 14, introduced by Keating, referred to the Committee on Taxation
HB 6, introduced by Thoft, by request of the Office of Budget and Program Planning, referred to the Committee on Finance and Claims
HB 12, introduced by Bardanouve, referred to the Committee on Taxation
HB 25, introduced by Cody, referred to the Committee on Finance and Claims
HJR 1, introduced by Harper, Grosfield, Stimatz, Beck, Bengtson, Lee, Fagg, and Brooke, by the request of the Water Policy Committee, referred to the Committee on Natural Resources

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Majority Leader Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Halligan in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 2 - Senator Jacobson introduced HB 2 and explained the procedure to be followed for the presentation of HB 2.

SECTION A. GENERAL GOVERNMENT AND HIGHWAYS

Senator Stimatz explained Section A of HB 2.

1. Senator Jacobson moved that Section A of HB 2 be amended as follows:

1. Page A-9, line 21.
Strike: "$49,946"
Insert: "$48,210"

2. Page A-27, following line 20.
Insert: "Contingent on passage and approval of House Bill No. 56, item 8d is reduced by $21,180 in proprietary funds in fiscal 1993."

This amendment applies 4 percent vacancy savings to the position transferred to the Office of Budget and Program Planning and eliminates the budget modification for the Professional Development Center of the Department of Administration contingent on passage and approval of House Bill 54.

Amendment adopted unanimously.

2. Senator Tveit moved that Section A of HB 2 be amended as follows:

1. Page A-31, line 11.
Strike: "147,278" "147,278"
Insert: " 98,625" " 98,625"

This amendment eliminates the additional budget reduction for the Department of Military Affairs added by the House of Representatives. It reduces the reduction amount to the level approved by the General Government and Transportation Appropriations Subcommittee which was based upon cumulative reductions of 8% of the agency's fully funded operational plan.

Amendment adopted by the following vote:

Yeas: Blaylock, Bruski, Christiaens, Devlin, Doherty, Franklin, Fritz, Grosfield, Hager, Halligan, Hammond, Harding, Hockett, Jergeson, Kennedy, Koehnke, Lynch, Noble, Pinsoneault, Pipinich, Rea, Rye, Stimatz, Swift, Thayer, Towe, Tveit, Vaughn, Weeding, Williams, Mr. President.
Total 31

Nays: Anderson, Beck, Bengtson, Bianchi, Brown, Crippen, Eck, Farrell, Gage, Harp, Jacobson, Keating, Nathe, Svrcek, Van Valkenburg, Waterman, Yellowtail.
Total 17

Absent or not voting: Aklestad, Burnett.
Total 2

Excused: None.
Total 0

3. Senator Jergeson moved to amend Section A of HB 2 as follows:

1. Page A-11, line 6.
Strike: "5,474"
Insert: "591"

This reinstates funds removed by the Cobb 4% general budget reduction amendment.

Amendment adopted by the following vote:

Yeas: Bengtson, Bianchi, Blaylock, Brown, Bruski, Christiaens, Doherty, Eck, Franklin, Fritz, Halligan, Harp, Hockett, Jacobson, Jergeson, Kennedy, Lynch, Nathe, Stimatz, Svrcek, Towe, Vaughn, Waterman, Weeding, Williams, Yellowtail.
Total 26

Nays: Aklestad, Anderson, Beck, Burnett, Crippen, Devlin, Farrell, Gage, Grosfield, Hager, Hammond, Harding, Keating, Koehnke, Noble, Pinsoneault, Rea, Rye, Swift, Thayer, Tveit, Van Valkenburg, Mr. President.
Total 23

Absent or not voting: Pipinich.
Total 1

Excused: None.
Total 0

4. Senator Stimatz moved to amend Section A of HB 2 as follows:

1. Page A-23, line 16.
Strike: "60,818"
Insert: "61,429"

2. Page A-23, line 18.
Strike: "29,297"
Insert: "90,411"

3. Page A-23, line 22.
Strike: "682,019 672,552"
Insert: "687,519 678,052"

4. Page A-25, line 15.
Strike: "2,347,743"
Insert: "2,350,970"

5. Page A-26, line 4.
Strike: "548,217"
Insert: "544,817"

6. Page A-26, line 18.
Strike: "2,153,202"
Insert: "2,158,702"

7. Page A-28, line 23.
Strike: "816,990"
Insert: "825,546"

This amendment allows the Data Processing (DP) Unit in the Accounting and Management Support Division of the Department of Administration to become proprietorially funded. The DP Unit is currently funded by general fund, and supports local area networks and micro computer software applications for most programs in the department. This amendment increases non general fund sources in other programs to pay for DP Unit support. About $30,000 of general fund currently allocated to the DP Unit will be transferred to other general fund programs to allow them to pay for DP Unit support. About $30,000 of the department's general fund budget reduction will be offset by general fund savings due to converting the DP Unit to proprietary funds.

Amendment failed by the following vote:

Yeas: Anderson, Bianchi, Brown, Bruski, Devlin, Eck, Fritz, Hager, Halligan, Hammond, Harding, Harp, Keating, Koehnke, Lynch, Nathe,

Pipinich, Stimatz, Svrcek, Thayer, Towe, Tveit, Van Valkenburg, Vaughn.
Total 24

Nays: Beck, Bengtson, Blaylock, Burnett, Christiaens, Crippen, Doherty, Farrell, Franklin, Gage, Grosfield, Hockett, Jacobson, Jergeson, Kennedy, Noble, Pinsoneault, Rea, Rye, Swift, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 25

Absent or not voting: Aklestad.
Total 1

Excused: None.
Total 0

Senator Jacobson moved that Section A of HB 2 be closed. Motion carried unanimously.

SECTION B. HUMAN SERVICES

Senator Waterman explained Section B of HB 2.

5. Senator Eck moved to amend Section B of HB 2 as follows:

1. Page B-19, line 19.
Strike: "260,389" (General Fund, Fiscal 1993)
Insert: "0"

LFA will adjust totals.

This amendment eliminates the general budget reduction.

Amendment adopted by the following vote:

Yeas: Bengtson, Bianchi, Blaylock, Bruski, Christiaens, Doherty, Eck, Franklin, Fritz, Halligan, Hockett, Jacobson, Jergeson, Keating, Kennedy, Koehnke, Lynch, Pipinich, Rye, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Williams, Yellowtail, Mr. President.
Total 28

Nays: Aklestad, Anderson, Beck, Brown, Burnett, Crippen, Devlin, Farrell, Gage, Grosfield, Hager, Hammond, Harding, Harp, Nathe, Noble, Pinsoneault, Rea, Swift, Thayer, Tveit, Weeding.
Total 22

Absent or not voting: None.
Total 0

Excused: None.
Total 0

6. Senator Fritz moved to amend Section B of HB 2 as follows:

Amend Finance and Claims Senate Standing Committee Report dated July 13, 1992.

(SECTION B)

1. Strike Committee Report amendment #11.

2. Strike Committee Report amendment #12.

This amendment reverses Senate Finance and Claims' action and increases AFDC/GA payments from 38% to 40.5% of the federal poverty index and increases general fund by $814,731.

Amendment failed by the following vote:

Yeas: Bianchi, Blaylock, Bruski, Christiaens, Doherty, Eck, Franklin, Fritz, Halligan, Jacobson, Jergeson, Kennedy, Lynch, Pipinich, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 25

Nays: Aklestad, Anderson, Beck, Bengtson, Brown, Burnett, Crippen, Devlin, Farrell, Gage, Grosfield, Hager, Hammond, Harding, Harp, Hockett, Keating, Koehnke, Nathe, Noble, Pinsoneault, Rye, Swift, Thayer, Tveit.
Total 25

Absent or not voting: None.
Total 0

Excused: None.
Total 0

Senator Jacobson moved to close Section B of HB 2. Motion carried unanimously.

SECTION C. NATURAL RESOURCES

Senator Bengtson explained Section C of HB 2.

7. Senator Bianchi moved to amend Section C of HB 2 as follows:

Amend Finance and Claims Standing Committee Report dated July 13, 1992.

(SECTION C)

1. Strike Committee Report amendments #14, #16, #17 and #18.

2. Strike: "2," on Page C-14, line 8 in the third reading copy -- blue of HB No. 2

This amendment reverses Senate Finance and Claims action and replaces $437,904 general fund with $437,904 state special revenue in the Department of Livestock's centralized management division, milk and egg division, and meat & poultry inspection division.

Amendment failed by the following vote:

Yeas: Bianchi, Blaylock, Brown, Christiaens, Crippen, Doherty, Eck, Franklin, Fritz, Gage, Jacobson, Kennedy, Lynch, Pipinich, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Mr. President.
Total 21

Nays: Aklestad, Anderson, Beck, Bengtson, Bruski, Burnett, Devlin, Farrell, Grosfield, Hager, Halligan, Hammond, Harding, Harp, Hockett, Jergeson, Keating, Koehnke, Nathe, Noble, Pinsoneault, Rea, Rye, Swift, Thayer, Tveit, Weeding, Williams, Yellowtail.
Total 29

Absent or not voting: None.
Total 0

Excused: None.
Total 0

8. Senator Jacobson moved to amend Section C of HB 2 as follows:

1. Page C-13, following line 25.
Insert: "9. Budget Reduction II (Line Item) 32,491"
(General Fund, Fiscal 1993)

LFA will amend totals.

This amendment reduces the Department of Livestock's fiscal 1993 House Bill 2 and 509 general fund appropriations by 4 percent.

Amendment adopted by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Franklin, Fritz, Gage, Grosfield, Halligan, Hammond, Harding, Harp, Hockett, Jacobson, Jergeson, Keating, Kennedy, Koehnke, Lynch, Nathe, Noble, Pinsoneault, Pipinich, Rea, Rye, Stimatz, Svrcek, Swift, Thayer, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: Hager.
Total 1

Excused: None.
Total 0

9. Senator Jergeson moved to amend Section C as follows:

1. Page C-24, line 21.
Strike: "409,420"
Insert: "108,328"

2. Page C-25, line 2.
Strike: "50,000"
Insert: "11,608"

LFA will amend totals.

This reduces the Montana Science & Technology Alliance program in the Department of Commerce by $339,484 in fiscal 1993.

Amendment failed by the following vote:

Yeas: Aklestad, Anderson, Blaylock, Christiaens, Crippen, Grosfield, Hammond, Jacobson, Jergeson, Koehnke, Nathe, Noble, Rea, Rye, Svrcek, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 19

Nays: Beck, Bengtson, Bianchi, Brown, Bruski, Devlin, Doherty, Eck, Farrell, Franklin, Fritz, Gage, Hager, Halligan, Harding, Harp, Hockett, Keating, Kennedy, Lynch, Pinsoneault, Pipinich, Stimatz, Swift, Thayer, Towe, Tveit, Vaughn, Waterman, Mr. President.
Total 30

Absent or not voting: Burnett.
Total 1

Excused: None.
Total 0

Senator Jacobson moved to close Section C of HB 2. Motion carried unanimously.

Majority Leader Van Valkenburg moved the committee rise. Motion carried. Committee arose. Senate resumed. Senator Halligan in the Chair.

SECTION D. INSTITUTIONS AND CULTURAL EDUCATION

Senator Franklin explained Section D of HB 2.

10. Senator Aklestad moved to amend Section D of HB 2 as follows:

Amend Finance and Claims Standing Committee Report dated July 13, 1992, as follows:

(SECTION D)

Strike: Amendment #20 (which deals with D-1, line 25.)

This amendment will remove $200,000 from the inter-library loan program.

Amendment failed by the following vote:

Yeas: Aklestad, Anderson, Beck, Brown, Burnett, Crippen, Devlin, Farrell, Gage, Grosfield, Hager, Hammond, Harding, Harp, Keating, Koehnke, Nathe, Noble, Pinsoneault, Rea, Rye, Swift, Thayer, Tveit.
Total 24

Nays: Bengtson, Bianchi, Blaylock, Bruski, Christiaens, Doherty, Eck, Franklin, Fritz, Halligan, Hockett, Jacobson, Jergeson, Kennedy, Lynch, Pipinich, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 26

Absent or not voting: None.
Total 0

Excused: None.
Total 0

11. Senator Lynch moved to amend Section D of HB 2 as follows:

Amend Finance and Claims Standing Committee Report dated July 13, 1992.

(SECTION D)

1. Strike Amendment #22 in its entirety

This amendment restores funding for the Board of Pardons 1.0 FTE removed in Senate Finance and Claims

Amendment failed by the following vote:

Yeas: Bianchi, Blaylock, Bruski, Christiaens, Doherty, Eck, Franklin, Fritz, Halligan, Hockett, Jacobson, Jergeson, Kennedy, Lynch, Pipinich, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Williams, Yellowtail, Mr. President.
Total 25

Nays: Aklestad, Anderson, Beck, Bengtson, Brown, Burnett, Crippen, Devlin, Farrell, Gage, Grosfield, Hager, Hammond, Harding, Harp, Keating, Koehnke, Nathe, Noble, Pinsoneault, Rye, Swift, Thayer, Tveit, Weeding.
Total 25

Absent or not voting: None.
Total 0

Excused: None.
Total 0

Senator Jacobson moved to close Section D of HB 2. Motion carried unanimously.

SECTION E. EDUCATION

Senator Jergeson explained Section E of HB 2.

12. Senator Beck moved to amend Section E of HB 2 as follows:

1. Page E-11, following line 14.
Insert: "17. Budget Reduction--Special Session II $2,000,000."
(Fiscal 1993 General Fund)

2. Page E-12, following line 10.
Insert: "Item 17 reduces the total general fund appropriation to the Montana university system. It is the intent of the legislature that the board of regents shall distribute the necessary budget reductions on an equitable basis throughout the Montana university system."

Amendment failed by the following vote:

Yeas: Aklestad, Anderson, Beck, Brown, Burnett, Crippen, Devlin, Gage, Grosfield, Hager, Hammond, Harding, Harp, Keating, Koehnke, Nathe, Noble, Swift, Thayer, Tveit.
Total 20

Nays: Bengtson, Bianchi, Blaylock, Bruski, Christiaens, Doherty, Eck, Farrell, Franklin, Fritz, Halligan, Hockett, Jacobson, Jergeson, Kennedy, Lynch, Pinsoneault, Pipinich, Rea, Rye, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Williams, Yellowtail, Mr. President.
Total 29

Absent or not voting: Weeding.
Total 1

Excused: None.
Total 0

13. Senator Nathe moved to amend Section E of HB 2 as follows:

1. Page E-11, following line 15.
Insert: "17. Budget Increase II--Commissioner of Higher Education $4,537,653"
(Fiscal 1993 Other Funds)

2. Page E-12, following line 18.
Insert: "Item 17 increases the spending authority of the commissioner of higher education and provides for the collection and use of the excess revenue resulting from additional students in the Montana

university system. These funds are appropriated to the office of the commissioner of higher education for distribution by the board of regents to the units of the Montana university system."

Amendment adopted unanimously.

14. Senator Nathe moved to amend Section E of HB 2 as follows:

1. Page E-12, following line 5.

Insert: "Total revenue received from tuition and fees that exceed $45,657,724 in fiscal 1993 is appropriated to the office of the commissioner of higher education for distribution by the board of regents to the units of the Montana university system and must result in a general fund reversion of a like amount, in accordance with 17-2-108 (2)."

Amendment failed by the following vote:

Yeas: Aklestad, Anderson, Beck, Burnett, Crippen, Devlin, Gage, Grosfield, Hager, Hammond, Harding, Harp, Hockett, Keating, Nathe, Noble, Pinsoneault, Stimatz, Swift, Thayer, Tveit.
Total 21

Nays: Bengtson, Bianchi, Blaylock, Bruski, Christiaens, Doherty, Eck, Farrell, Franklin, Fritz, Halligan, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Pipinich, Rea, Rye, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Absent or not voting: Brown.
Total 1

Excused: None.
Total 0

15. Senator Hammond moved to amend Section E of HB 2 as follows:

Amend Finance and Claims Senate Standing Committee Report dated July 13, 1992, as follows:

Strike Amendments #24 through #30 in their entirety (refers to Section E) and amend House Bill No. 2 as follows:

1. Page E-21, following line 22.

Insert: "Included within current unrestricted funds (contained in the "other" fund column) to the six university units is the sum of $11,887,000 for fiscal 1992 and $13,664,000 for fiscal 1993 for revenue generated under the provisions of 20-25-423. The department of revenue shall levy the full 6 mills as authorized in 20-25-423. Revenue received by the university system under the provisions of 20-25-423 that exceeds $11,887,000 for fiscal 1992 and $13,664,000 in fiscal 1993 shall result in a reversion to the general fund of a like amount in accordance with 17-2-108 (2)."

Amendment failed by the following vote:

Yeas: Aklestad, Anderson, Beck, Brown, Burnett, Crippen, Devlin, Farrell, Gage, Grosfield, Hager, Hammond, Harding, Harp, Hockett, Keating, Koehnke, Nathe, Noble, Pinsoneault, Rye, Swift, Thayer, Tveit.
Total 24

Nays: Bengtson, Bianchi, Blaylock, Bruski, Christiaens, Doherty, Eck, Franklin, Fritz, Halligan, Jacobson, Jergeson, Kennedy, Lynch, Pipinich, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 26

Absent or not voting: None.
Total 0

Excused: None.
Total 0

16. Senator Franklin moved to amend Section E of HB 2 as follows:

Amend the Finance and Claims Standing Committee Report dated July 13, 1992:

1. Standing Committee Report, Page 4. (SECTION E)
Strike: amendment 31

2. House Bill 2, Page E-25.
Strike: lines 14 through 15 in their entirety
Insert: "0"

LFA will amend totals.

These amendments eliminate the budget reductions to the budget of the MSDB.

Amendment adopted by the following vote:

Yeas: Bengtson, Bianchi, Blaylock, Bruski, Christiaens, Doherty, Eck, Franklin, Halligan, Hockett, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Noble, Pipinich, Rea, Stimatz, Svrcek, Thayer, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 29

Nays: Aklestad, Anderson, Beck, Brown, Burnett, Crippen, Devlin, Farrell, Gage, Grosfield, Hager, Hammond, Harding, Harp, Keating, Nathe, Pinsoneault, Rye, Swift, Tveit.
Total 20

Absent or not voting: Fritz.
Total 1

Excused: None.
Total 0

Senator Jacobson moved to close Section E of HB 2.

SECTION F. LONG RANGE BUILDING

Senator Hockett explained Section F of HB 2.

Senator Jacobson moved to close Section F of HB 2. Motion carried unanimously.

OTHER APPROPRIATIONS

Senator Jacobson explained Section OA of HB 2.

17. Senator Waterman moved to amend Section OA of HB 2 as follows:

1. Title, line 9.
Following: "1991;"
Insert: "REPEALING SECTION 14, CHAPTER 13, SPECIAL LAWS OF JANUARY 1992, AND CHAPTER 820, LAWS OF 1991;"

2. Page OA-7.
Following: line 23
Insert: "Section 7. Repealer. Section 14, Chapter 13, Special Laws of January 1992, and Chapter 820, Laws of 1991, are repealed."
Renumber: subsequent sections

This amendment repeals legislation appropriating $644,000 to the Department of Commerce for the Lewis & Clark Interpretive Center.

Amendment adopted by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Blaylock, Brown, Bruski, Burnett, Crippen, Devlin, Farrell, Gage, Grosfield, Hager, Hammond, Harding, Harp, Hockett, Jergeson, Kennedy, Koehnke, Nathe, Pinsoneault, Rea, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Yellowtail.
Total 31

Nays: Bianchi, Christiaens, Doherty, Eck, Franklin, Fritz, Halligan, Jacobson, Keating, Lynch, Noble, Pipinich, Rye, Stimatz, Swift, Thayer, Tveit, Williams, Mr. President.
Total 19

Absent or not voting: None.
Total 0

Excused: None.
Total 0

Senator Jacobson moved to close Section OA of HB 2. Motion carried unanimously.

BOILER PLATE INTRODUCTION SECTION

Senator Jacobson explained the Boiler Plate Section of HB 2.

18. Senator Jacobson moved to amend the Boiler Plate section of HB 2 as follows:

Amend Finance and Claims Senate Standing Committee Report dated July 13, 1992, as follows:

(REFERS TO SECTION BP)

STRIKE AMENDMENT #7 IN ITS ENTIRETY

Amendment adopted by the following vote:

Yeas: Bengtson, Bianchi, Blaylock, Bruski, Burnett, Christiaens, Doherty, Eck, Franklin, Fritz, Halligan, Hockett, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Pipinich, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 29

Nays: Aklestad, Anderson, Beck, Brown, Crippen, Devlin, Farrell, Gage, Grosfield, Hager, Hammond, Harding, Harp, Keating, Nathe, Noble, Pinsoneault, Rye, Swift, Thayer, Tveit.
Total 21

Absent or not voting: None.
Total 0

Excused: None.
Total 0

Senator Jacobson moved to close the Boiler Plate section of HB 2. Motion carried unanimously.

Senator Jacobson's motion that HB 2, as amended, be concurred in, failed by the following vote:

Yeas: Bengtson, Bianchi, Blaylock, Bruski, Eck, Fritz, Halligan, Hockett, Jacobson, Jergeson, Kennedy, Lynch, Pipinich, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 24

Nays: Aklestad, Anderson, Beck, Brown, Burnett, Christiaens, Crippen, Devlin, Doherty, Farrell, Franklin, Gage, Grosfield, Hager, Hammond, Harding, Harp, Keating, Koehnke, Nathe, Noble, Pinsoneault, Rye, Swift,

Thayer, Tveit.
Total 26

Absent or not voting: None.
Total 0

Excused: None.
Total 0

Majority Leader Van Valkenburg moved that HB 2, as amended, be concurred in. Motion carried by the following vote:

Yeas: Bengtson, Bianchi, Blaylock, Bruski, Christiaens, Doherty, Eck, Franklin, Fritz, Halligan, Hockett, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Pipinich, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Nays: Aklestad, Beck, Brown, Burnett, Crippen, Devlin, Farrell, Gage, Grosfield, Hammond, Harding, Harp, Keating, Nathe, Noble, Pinsoneault, Rye, Swift, Thayer, Tveit.
Total 20

Absent or not voting: Anderson, Hager.
Total 2

Excused: None.
Total 0

Majority Leader Van Valkenburg moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Mazurek presiding. Chairman Halligan moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 2 concurred in by the following vote:

Yeas: Bengtson, Bianchi, Blaylock, Bruski, Christiaens, Doherty, Eck, Franklin, Fritz, Halligan, Hockett, Jacobson, Jergeson, Kennedy, Lynch, Pipinich, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Yellowtail, Mr. President.
Total 26

Nays: Aklestad, Anderson, Beck, Brown, Burnett, Crippen, Devlin, Farrell, Gage, Grosfield, Hager, Hammond, Harding, Harp, Keating, Koehnke, Nathe, Noble, Pinsoneault, Rye, Swift, Thayer, Tveit.
Total 23

Absent or not voting: Williams.
Total 1

Excused: None.
Total 0

MESSAGES FROM THE OTHER HOUSE

House bill passed and transmitted to the Senate for concurrence:

HJR 2, introduced by Representative Gilbert

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

HJR 2, introduced by Gilbert, referred to Committee on Taxation

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Van Valkenburg moved the Senate adjourn until 8 a.m., Wednesday, July 16, 1992. Motion carried.

Senate adjourned at 4:10 p.m.

JOSEPH P. MAZUREK
President of the Senate

DAVE HUNTER
Secretary of the Senate

NINTH LEGISLATIVE DAY

Helena, Montana — Senate Chambers
July 15, 1992 — State Capitol

Senate convened at 8 a.m. President Mazurek presiding. Invocation by Senator Rye. Pledge of Allegiance to the flag.

Roll call. All members present, except Senator Halligan, excused. Quorum present.

COMMUNICATIONS AND PETITIONS

BILLS AND JOURNAL (Pipinich, Chairman): 7/15/92
Signed by the President at 11:45 a.m., July 14, 1992: SR 1

REPORTS OF STANDING COMMITTEES

ADVERSE COMMITTEE REPORT

FINANCE AND CLAIMS (Jacobson, Chairman): 7/15/92
SB 8 - Senator Jacobson moved the adverse committee report on SB 8 be adopted. Report adopted by the following vote:

Yeas: Anderson, Bianchi, Blaylock, Bruski, Christiaens, Doherty, Eck, Franklin, Fritz, Halligan, Harp, Hockett, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Nathe, Pipinich, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 30

Nays: Aklestad, Bengtson, Brown, Burnett, Crippen, Devlin, Farrell, Gage, Grosfield, Hager, Hammond, Harding, Keating, Noble, Pinsoneault, Rye, Swift, Thayer, Tveit.
Total 19

Absent or not voting: Beck.
Total 1

Excused: None.
Total 0

ADVERSE COMMITTEE REPORT

SB 12 - Senator Jacobson moved the adverse committee report on SB 12 be adopted. Report adopted by the following vote:

Yeas: Bengtson, Bianchi, Blaylock, Brown, Bruski, Christiaens, Devlin, Doherty, Eck, Franklin, Fritz, Halligan, Harp, Hockett, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Nathe, Pipinich, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 31

Nays: Aklestad, Anderson, Burnett, Crippen, Farrell, Gage, Grosfield, Hager, Hammond, Harding, Keating, Noble, Pinsoneault, Rea, Rye, Swift,

Thayer, Tveit.
Total 18

Absent or not voting: Beck.
Total 1

Excused: None.
Total 0

MOTIONS

Majority Leader Van Valkenburg moved that SB 13 be taken from second reading this day and returned to the Senate Taxation Committee. Motion carried unanimously.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Van Valkenburg moved the Senate recess until 11:45 a.m. this day. Motion carried.

Senate recessed at 8:15 a.m.

Senate reconvened at 11:51 a.m. President Mazurek presiding.

Roll call. All members present, except Senator Bengtson, absent. Quorum present.

MESSAGES FROM THE OTHER HOUSE

House bill passed and transmitted to the Senate for concurrence:

HB 8, introduced by Representative Bardanouve

FIRST READING AND COMMITMENT OF BILLS

The following bill was introduced, read first time, and referred to committee:

HB 8, introduced by Representative Bardanouve, referred to the Committee on Finance and Claims

MOTIONS

Senator Halligan moved to be reported as voting yea on Finance and Claims Adverse Standing Committee Reports of SB 8 and SB 12. There were no objections.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Van Valkenburg moved the Senate recess until 4 p.m., this day. Motion carried.

Senate recessed at 11:56 a.m.

Senate reconvened at 4:06 p.m. President Mazurek presiding.

Roll call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Jacobson, Chairman): 7/15/92
SB 6, introduced bill, be amended as follows:

1. Title, line 4.
Following: "ACT"
Insert: "GENERALLY REVISING THE DUTIES OF DEPARTMENT HEADS;"

2. Title, line 5.
Following: "REDUCE"
Strike: "THE"

3. Title, line 6.
Strike: "BUREAUCRACY"
Insert: "POSITIONS"

4. Title, line 6.
Following: ";"
Insert: "REQUIRING A DEPARTMENT HEAD TO PRIORITIZED THE DUTIES OF THE DEPARTMENT IN SUBMITTING A BUDGET;"

5. Title, line 7.
Strike: "SECTION"
Insert: "SECTIONS"
Following: "2-15-112"
Insert: "AND 17-7-111"

6. Page 3, line 3.
Following: "department"
Insert: ";

(j) submit, as part of the agency goals and objectives contained in the agency program budget prepared pursuant to 17-7-111, a prioritized list of the duties assigned by law to the agency"

7. Page 3, line 18.
Strike: "bureaucracy by eliminating"

8. Page 4, line 3.
Strike: "17-8-103"
Insert: "17-7-138"

9. Page 4, line 4.
Following: line 3

Insert: "Section 2. Section 17-7-111, MCA, is amended to read:

"17-7-111. Agency program budgets -- form distribution and contents. (1) In the preparation of a state budget, the budget director shall, not later than July 1 in the year preceding the convening of the legislature, distribute to all state offices and departments, including the judicial branch and the legislative branch, the proper forms necessary for the preparation of budget estimates. These forms shall be prescribed by the budget director to procure the information required by subsection (2).

(2) The agency budget requests, when completed by the budget office, must set forth a balanced financial plan for the agency completing the forms for each fiscal year of the ensuing biennium. The plan must consist of:

(a) a consolidated agency budget summary for current level expenditures and for each modification request setting forth the aggregate figures of the full-time equivalent personnel positions (FTE) and the budget in such manner as to show a balance between the total proposed disbursements and the total anticipated receipts, together with the other means of financing the budget for each fiscal year of the ensuing biennium, contrasted with the corresponding figures for the last completed fiscal year and the fiscal year in progress. The consolidated budget summary must be supported by schedules classifying receipts and disbursements contained therein by fund and, where applicable, organizational unit.

(b) a schedule of the actual and projected receipts, disbursements, and solvency of each accounting entity within each fund for the current and subsequent biennium;

(c) a detailed schedule of receipts, by accounting entity within each fund, indicating classification and source of funds;

(d) an agency schedule summarizing past and proposed spending plans and the means of financing the proposed plan. Information presented shall include the following:

(i) a statement of agency goals and objectives and a statement of goals and objectives for each program of the agency. Such goals and objectives must include, in a concise form, sufficient specific information and quantifiable information to enable the legislature to formulate an appropriations policy regarding the agency and its programs and to allow a determination, at some future date, on whether the agency has succeeded in attaining its goals and objectives. <u>The goals and objectives must contain a list of duties prioritized by the department director to reflect the director's opinion concerning the importance of the duties assigned to the agency by law. Any duties performed by the agency that are not assigned by law must also be enumerated.</u>

(ii) actual FTE and disbursements for the completed fiscal year of the current biennium, estimated FTE and disbursements for the current fiscal year, and the agency's request for the ensuing biennium, by program; and

(iii) actual disbursements for the completed fiscal year of the current biennium, estimated disbursements for the current

fiscal year, and the agency's recommendations for the ensuing biennium, by disbursement category;

(e) any other information the budget director feels is necessary for the preparation of a budget.

(3) The budget director must also prepare and submit to the legislative fiscal analyst in accordance with 17-7-112:

(a) detailed recommendations for the state long-range building program. Each recommendation shall be presented by department, institution, agency, or branch by funding source, with a description of each proposed project; and

(b) the proposed pay plan schedule for all executive branch employees, with the specific cost and funding recommendations for each agency. Submission of a pay plan schedule under this subsection is not an unfair labor practice under 39-31-401.

(4) The board of regents shall submit, with its budget request for each university unit in accordance with 17-7-112, a report on the university system bonded indebtedness and related finances as provided in this subsection (4). The report must include the following information for each year of the biennium, contrasted with the same information for the last completed fiscal year and the fiscal year in progress:

(a) a schedule of estimated total bonded indebtedness for each university unit by bond indenture;

(b) a schedule of estimated revenue, expenditures, and fund balances by fiscal year for each outstanding bond indenture, clearly delineating the accounts relating to each indenture and the minimum legal funding requirements for each bond indenture; and

(c) a schedule showing the total funds available from each bond indenture and its associated accounts, with a list of commitments and planned expenditures from such accounts, itemized by revenue source and project for each year of the current and ensuing bienniums.""

Renumber: subsequent section

And as amended, do pass. Report adopted.

SB 7, introduced bill, be amended as follows:

1. Title, line 5.
Following: "STATE"
Insert: "EXECUTIVE AND LEGISLATIVE"

2. Title, line 6.
Strike: "REDUCED"
Insert: "ELIMINATED"

3. Title, line 7.
Following: "GOVERNOR"
Insert: "AND THE PRESIDING OFFICERS OF LEGISLATIVE COMMITTEES RESPONSIBLE FOR LEGISLATIVE AGENCIES"

4. Title, line 8.

Following: "STATE"
Insert: "EXECUTIVE AND LEGISLATIVE"

5. Page 1.
Following: line 13
Insert: "(1) "Legislative agency" means an agency directly responsible to and supervised by the permanent legislative committees established in Title 5, chapters 11 through 16."
Renumber: subsequent subsections

6. Page 1, line 15.
Following: "state"
Insert: "executive and legislative"

7. Page 1, line 17.
Following: "State"
Insert: "executive"

8. Page 1, line 21.
Following: "state"
Insert: "executive"

9. Page 1, line 23.
Strike: "reduced"
Insert: "eliminated"

10. Page 2, line 6.
Following: "governor"
Insert: "and the presiding officer of each legislative committee responsible for a legislative agency"

11. Page 2, line 8.
Following: "state"
Insert: "executive and legislative"

12. Page 2, line 12.
Following: "governor"
Insert: "and the presiding officer of each legislative committee responsible for a legislative agency"

And as amended, do pass. Report adopted.

HB 6, third reading copy, be concurred in. Report adopted.

HB 25, third reading copy, be amended as follows:

1. Page 2.
Strike: lines 12 through 25 in their entirety.

And as amended, be concurred in. Report adopted.

SB 3, not be adopted, Senator Jacobson, moved adoption of the majority adverse committee report. Senator Aklestad made a substitute motion that the minority report be adopted.

Minority report failed by the following vote:

Yeas: Aklestad, Anderson, Beck, Brown, Burnett, Crippen, Devlin, Farrell, Gage, Grosfield, Hager, Hammond, Harding, Harp, Jacobson, Keating, Koehnke, Nathe, Noble, Pinsoneault, Rye, Swift, Thayer, Tveit, Williams.
Total 25

Nays: Bengtson, Bianchi, Blaylock, Bruski, Christiaens, Doherty, Eck, Franklin, Fritz, Halligan, Hockett, Jergeson, Kennedy, Lynch, Pipinich, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Yellowtail, Mr. President.
Total 25

Paired: Nathe, Yea; Svrcek, Nay.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

Majority report adopted by the following vote:

Yeas: Bengtson, Bianchi, Blaylock, Bruski, Christiaens, Doherty, Eck, Franklin, Fritz, Halligan, Hockett, Jacobson, Jergeson, Kennedy, Lynch, Pipinich, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Yellowtail, Mr. President.
Total 26

Nays: Aklestad, Anderson, Beck, Brown, Burnett, Crippen, Devlin, Farrell, Gage, Grosfield, Hager, Hammond, Harding, Harp, Keating, Koehnke, Nathe, Noble, Pinsoneault, Rye, Swift, Thayer, Tveit, Williams.
Total 24

Paired: Svrcek, Yea; Nathe, Nay.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

TAXATION (Halligan, Chairman): 7/15/92
HB 12, third reading copy, be concurred in. Report adopted.

HJR 2, third reading copy, be amended as follows:

1. Page 3, line 4.
Strike: "$493,598,000"

Insert: "$492,883,000"

2. Page 3, line 5.
Strike: "$372,846,000"
Insert: "372,561,000"

3. Page 4, line 24.
Strike: "$16.397"
Insert: "$15.397"

4. Page 7, line 15.
Strike: "$211.449"
Insert: "$210.821"
Strike: "$396.107"
Insert: "$395.479"

5. Page 8, line 21.
Strike: "$493.596"
Insert: "$492.883"
Strike: "$948.610"
Insert: "$947.895"

6. Page 9, line 8.
Strike: "$95.960"
Insert: "$95.675"
Strike: "$179.761"
Insert: "$179.476"

7. Page 9, line 21.
Strike: "$264.625"
Insert: "$264.340"
Strike: "$518.650"
Insert: "$518.365"

8. Page 10, line 13.
Strike: "$374.308"
Insert: "$372.561"
Strike: "$739.873"
Insert: "$738.126"

9. Page 10, line 16.
Strike: "$866.444"
Insert: "$865.444"
Strike: "$1,687.021"
Insert: "$1,686.021"

And, as amended, be concurred in. Report adopted.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Majority Leader Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Devlin in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 6 - Senator Towe moved that SB 6 do pass. Motion carried with Keating voting nay.

SB 7 - Senator Towe moved that SB 7 be amended as follows:

1. Title, line 4.
Following: "REQUIRING"
Insert: "THAT"

2. Title, line 5.
Following: "AGENCIES"
Strike: "TO REMAIN OPEN"
Insert: "NOT BE FILLED"

3. Page 2, line 2.
Following: "EXECUTIVE"
Insert: "and legislative"

4. Page 2, line 4.
Following: "filled"
Strike: "until 400 positions are"
Insert: "and must be considered"

5. Page 2, line 11.
Following: "official."
Insert: "When 400 positions have been eliminated, this provision ceases to be effective and terminates."

Senator Towe withdrew his motion. Senator Towe moved that SB 7 be placed at the bottom of the board this legislative day. Motion carried unanimously.

HB 6 - Senator Jacobson moved that HB 6 be concurred in. Motion carried unanimously.

HB 25 - Senator Jacobson moved to amend HB 25 as follows:

1. Page 3.
Following: line 2
Insert: "(5) For the purposes of this section, travel for participation in and the activities of legislative committees and of the distracting and apportionment commission are considered to be essential to the operation of the legislature and its agencies. The salary for and the

reimbursement of expenses for transportation, meals, lodging, and the activities of legislative committees and agencies in their regular course of work are authorized."

Amendment adopted by the following vote:

Yeas: Anderson, Bengtson, Bianchi, Blaylock, Bruski, Christiaens, Crippen, Doherty, Eck, Farrell, Franklin, Grosfield, Halligan, Harding, Hockett, Jacobson, Jergeson, Keating, Koehnke, Lynch, Noble, Pinsoneault, Pipinich, Rea, Stimatz, Svrcek, Swift, Thayer, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 36

Nays: Aklestad, Beck, Brown, Burnett, Devlin, Fritz, Gage, Hammond, Harp, Kennedy, Nathe, Rye, Towe.
Total 13

Absent or not voting: Hager.
Total 1

Excused: None.
Total 0

Senator Waterman moved that HB 25, as amended, be concurred in. Motion failed by the following vote:

Yeas: Bengtson, Blaylock, Brown, Crippen, Doherty, Franklin, Halligan, Harp, Hockett, Jacobson, Jergeson, Kennedy, Lynch, Nathe, Pipinich, Rea, Rye, Stimatz, Towe, Van Valkenburg, Vaughn, Waterman, Williams, Mr. President.
Total 24

Nays: Aklestad, Anderson, Beck, Bianchi, Bruski, Burnett, Christiaens, Devlin, Eck, Farrell, Fritz, Gage, Grosfield, Hammond, Harding, Keating, Koehnke, Noble, Pinsoneault, Svrcek, Swift, Thayer, Tveit, Weeding, Yellowtail.
Total 25

Absent or not voting: Hager.
Total 1

Excused: None.
Total 0

Senator Keating moved to indefinitely postpone HB 25. Motion carried by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Bianchi, Bruski, Burnett, Devlin, Eck, Farrell, Franklin, Fritz, Gage, Grosfield, Hammond, Harding, Keating, Koehnke, Noble, Pinsoneault, Svrcek, Swift, Thayer, Tveit, Yellowtail.
Total 25

Nays: Blaylock, Brown, Christiaens, Crippen, Doherty, Halligan, Harp, Hockett, Jacobson, Jergeson, Kennedy, Lynch, Nathe, Pipinich, Rea, Rye, Stimatz, Towe, Van Valkenburg, Vaughn, Waterman, Williams, Mr. President.
Total 23

Absent or not voting: Hager, Weeding.
Total 2

Excused: None.
Total 0

SB 7 - Senator Towe moved to amend SB 7 as follows:

1. Title, line 4.
Following: "REQUIRING"
Insert: "THAT"

2. Title, line 5.
Following: "AGENCIES"
Strike: "TO REMAIN OPEN"
Insert: "NOT BE FILLED"

3. Page 2, line 2.
Following: "EXECUTIVE"
Insert: "and legislative"

4. Page 2, line 4.
Following: "filled"
Strike: "until 400 positions are"
Insert: "and must be considered"

5. Page 2, line 5.
Following: "the governor"
Insert: "or other appropriate elected official or the presiding officer of a legislative committee responsible for a legislative agency"

6. Page 2, line 11.
Following: "official."
Insert: "When 400 positions have been eliminated, this provision ceases to be effective and terminates."

7. Page 2, line 12.
Following: "governor"
Insert: "an appropriate elected official,"

8. Page 2, line 19.
Following: "governor"
Insert: "an appropriate elected official,"

Amendments adopted by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Fritz, Gage, Grosfield, Halligan, Hammond, Harding, Harp, Hockett, Jacobson, Keating, Kennedy, Koehnke, Lynch, Nathe, Noble, Pinsoneault, Pipinich, Rea, Stimatz, Swift, Thayer, Towe, Tveit, Vaughn, Waterman, Weeding, Williams, Mr. President.
Total 42

Nays: Bianchi, Franklin, Jergeson, Rye, Svrcek, Van Valkenburg, Yellowtail.
Total 7

Absent or not voting: Hager.
Total 1

Excused: None.
Total 0

Senator Towe moved that SB 7, as amended, do pass. Motion carried by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Gage, Grosfield, Hammond, Harding, Harp, Hockett, Jacobson, Kennedy, Koehnke, Nathe, Noble, Pinsoneault, Pipinich, Rea, Rye, Stimatz, Swift, Thayer, Towe, Tveit, Vaughn, Waterman, Williams, Mr. President.
Total 38

Nays: Bianchi, Franklin, Fritz, Jergeson, Keating, Lynch, Svrcek, Van Valkenburg, Yellowtail.
Total 9

Absent or not voting: Hager, Halligan, Weeding.
Total 3

Excused: None.
Total 0

Majority Leader Van Valkenburg moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Mazurek presiding. Chairman Devlin moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 6 passed by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell,

Franklin, Fritz, Gage, Grosfield, Halligan, Hammond, Harding, Harp, Hockett, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Nathe, Noble, Pinsoneault, Pipinich, Rea, Rye, Stimatz, Svrcek, Swift, Thayer, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Nays: Keating.
Total 1

Paired: Halligan, Yea; Keating, Nay.

Absent or not voting: None.
Total 0

Excused: Hager.
Total 1

SB 7 passed by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Gage, Grosfield, Hager, Hammond, Harding, Harp, Hockett, Jacobson, Kennedy, Koehnke, Nathe, Noble, Pinsoneault, Pipinich, Rea, Rye, Stimatz, Swift, Thayer, Towe, Tveit, Vaughn, Waterman, Weeding, Williams, Mr. President.
Total 40

Nays: Bianchi, Franklin, Fritz, Halligan, Jergeson, Keating, Lynch, Svrcek, Van Valkenburg, Yellowtail.
Total 10

Paired: Doherty, Hager, Yea; Halligan, Keating, Nay.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 6 concurred in by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Franklin, Fritz, Gage, Grosfield, Hammond, Harding, Harp, Hockett, Jacobson, Jergeson, Keating, Kennedy, Koehnke, Lynch, Nathe, Noble, Pinsoneault, Pipinich, Rea, Rye, Stimatz, Svrcek, Swift, Thayer, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Hager, Halligan.
Total 2

MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence:

HB 56, introduced by Cocchiarella
HB 58, introduced by Madison
HB 59, introduced by Madison

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

HB 56, introduced by Cocchiarella, referred to Committee on Finance and Claims
HB 58, introduced by Madison, referred to Committee on Natural Resources
HB 59, introduced by Madison, referred to Committee on Natural Resources

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Van Valkenburg moved the Senate adjourn until 7:45 a.m., Thursday, July 16, 1992. Motion carried.

Senate adjourned at 6 p.m.

JOSEPH P. MAZUREK
President of the Senate

DAVE HUNTER
Secretary of the Senate

TENTH LEGISLATIVE DAY

Helena, Montana
July 16, 1992

Senate Chambers
State Capitol

Senate convened at 7:49 a.m. President Mazurek presiding. Invocation by Senator Koehnke. Pledge of Allegiance to the flag.

Roll call. All members present, except Senators Kennedy, Pinsoneault, and Rea, absent. Quorum present.

ANNOUNCEMENTS

Majority Leader Van Valkenburg moved the Senate recess for party caucuses until 8:10 a.m. Motion carried.

Senate recessed at 7:53 a.m.

Senate reconvened at 8:28 a.m. President Mazurek presiding.

Roll Call. All members present. Quorum present.

COMMUNICATIONS AND PETITIONS

BILLS AND JOURNAL (Pipinich, Chairman): 7/15/92
Correctly printed and placed on members' desks: SB 6, SB 7
Correctly engrossed: SB 6, SB 7

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Majority Leader Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Yellowtail in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 12 - Senator Halligan moved that HB 12 be concurred in. Motion carried by the following vote:

Yeas: Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Christiaens, Crippen, Doherty, Eck, Farrell, Franklin, Fritz, Gage, Grosfield, Hager, Halligan, Harp, Hockett, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Nathe, Pinsoneault, Pipinich, Rea, Stimatz, Svrcek, Thayer, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Nays: Aklestad, Burnett, Devlin, Hammond, Harding, Keating, Noble, Rye, Swift, Tveit.
Total 10

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HJR 2 - Senator Towe moved that HJR 2 be amended as follows:

1. Page 7, line 22.
Strike: "44.830"
Insert: "44.743"
Strike: "86.345"
Insert: "86.258"

Senator Towe moved that HJR 2 be concurred in. Motion carried unanimously.

Majority Leader Van Valkenburg moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Mazurek presiding. Chairman Yellowtail moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 12 concurred in by the following vote:

Yeas: Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Christiaens, Crippen, Doherty, Eck, Farrell, Franklin, Fritz, Gage, Grosfield, Hager, Halligan, Harp, Hockett, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Nathe, Pinsoneault, Pipinich, Rea, Stimatz, Svrcek, Thayer, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Nays: Aklestad, Burnett, Devlin, Hammond, Harding, Keating, Noble, Rye, Swift, Tveit.
Total 10

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HJR 2 concurred in by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Franklin, Fritz, Gage, Grosfield, Hager, Halligan, Hammond, Harding, Harp, Hockett, Jacobson, Jergeson, Keating, Kennedy, Koehnke, Lynch, Nathe, Noble, Pinsoneault, Pipinich, Rea, Rye, Stimatz, Svrcek, Swift, Thayer, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams,

Yellowtail, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Van Valkenburg moved the Senate recess until 1 p.m. Motion carried.

Senate recessed at 8:57 a.m.

Senate reconvened at 1:15 p.m. President Mazurek presiding.

Roll call. All members present. Quorum present.

MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence:

HB 7, introduced by Thoft
HB 41, introduced by Kadas
HB 44, introduced by Ream
HB 48, introduced by Harrington
HB 51, introduced by Kadas
HB 62, introduced by Schye

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

HB 7, introduced by Thoft (by request of the Office of Budget and Program Planning), referred to Committee on Finance and Claims
HB 41, introduced by Kadas, referred to Committee on Finance and Claims
HB 44, introduced by Ream and Towe, referred to Committee on Taxation
HB 48, introduced by Harrington, Driscoll, D. Brown, Menahan, McCarthy, Pavlovich, Daily, Schye, Dolezal, Strizich, Whalen, Galvin, Harper, Wyatt, and Stang, referred to Committee on Taxation
HB 51, introduced by Kadas, referred to Committee on Finance and Claims
HB 62, introduced by Schye (by request of the House Education and Cultural Resources Committee), referred to Committee on Education

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Van Valkenburg moved the Senate adjourn until 10 a.m., Friday, July 17, 1992. Motion carried.

Senate adjourned at 1:20 p.m.

JOSEPH P. MAZUREK
President of the Senate

DAVE HUNTER
Secretary of the Senate

ELEVENTH LEGISLATIVE DAY

Helena, Montana
July 17, 1992

Senate Chambers
State Capitol

Senate convened at 10:12 a.m. President Mazurek presiding. Invocation by Senator Franklin. Pledge of Allegiance to the flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journals for the fifth, sixth, and seventh, legislative days, find the same to be correct.

Pipinich, Chairman

REPORTS OF STANDING COMMITTEES

BILLS AND JOURNAL (Pipinich, Chairman): 7/17/92
Correctly printed and placed on members' desks: SB 10

FINANCE AND CLAIMS (Jacobson, Chairman): 7/16/92
SB 10, introduced bill, be amended as follows:

1. Title, lines 8 through 13.
Following: "RESIDENCY" on line 8
Strike: "ELIMINATING" on line 8 through "INELIGIBILITY;" on line 13
Insert: "LIMITING ELIGIBILITY FOR GENERAL RELIEF MEDICAL ASSISTANCE;"

2. Title, lines 15 and 16.
Strike: "REVISING THE DURATION OF ASSISTANCE PERMITTED;"

3. Title, line 20.
Strike: "50-2-116, 53-2-323, 53-2-813,"

4. Title, line 22.
Following: "53-3-305,"
Insert: "53-3-307, 53-3-310,"
Strike: "53-3-311,"

5. Title, page 1, line 24 through page 2, line 1.
Following: "MCA;" on line 24
Insert: "AND"
Strike: "SECTIONS"
Insert: "SECTION"
Following: "53-3-206,"
Insert: "MCA."
Strike: "53-3-307" on page 1, line 24 through "DATE." on page 2, line 1

6. Page 2, line 4 through page 9, line 15.
Strike: sections 1 through 3 in their entirety
Renumber: subsequent sections

7. Page 9.
Following: line 22

Insert: "(1) "Acute medical need" means an illness, injury, or other serious medical condition that:

(a) demands urgent medical attention; and

(b) is expected to last less than 12 months if treated."

Renumber: subsequent subsections

8. Page 10, line 22.
Following: "~~needs~~"
Insert: "and medical needs"

9. Page 13.
Following: line 8
Insert: "(17) "Serious medical condition" means a mental or physical condition that causes a serious health risk to a person and for which treatment is medically necessary. Diagnosis and determination of necessary treatment must be made by a licensed medical practitioner, and the department may confirm the diagnosis through an expert medical review. Necessary treatment includes essential medical care and other services that the department determines, by rule, to be medically necessary. A serious medical condition is limited to chronic illness, an acute medical need, or a medical condition that requires services in order for a person to obtain or retain employment."
Renumber: subsequent subsections

10. Page 15.
Following: line 8
Insert: "(2) public policy requires that certain persons who are in need should be provided with assistance through programs of general relief;

(3) general relief, along with other assistance programs, should be available to provide:

(a) basic necessities that allow minimum subsistence compatible with decency and health; and

(b) financial assistance for medical services necessary for the treatment of a person's serious medical condition. However, general relief medical assistance should not be available to nonindigent persons who have catastrophic medical expenses."
Renumber: subsequent subsections

11. Page 16, line 23.
Strike: "<u>an 18-month</u>"
Insert: "a 12-month"

12. Page 17, lines 3 and 4.
Strike: "for basic necessities"

13. Page 20, line 9.
Following: "~~provided for in~~"
Insert: "53-3-310 and"

14. Page 21, line 15.
Following: "<u>ineligible for</u>"

Insert: "either of the public"
Strike: "under the"
Insert: "programs commonly referred to as medicaid and"

15. Page 21, line 16.
Strike: "program"

16. Page 21, line 18.
Strike: "that"
Insert: "either"

17. Page 21, line 21.
Following: "for"
Insert: "medicaid or"
Following: "program"
Insert: "or, if ineligible for both programs, whichever period of ineligibility is longer"

18. Page 22, line 6.
Strike: "(2)"
Insert: "(3)"

19. Page 22, line 14.
Following: "~~month.~~"
Insert: "Eligibility for general relief medical assistance is granted for a period of 1 month and terminates when the serious medical condition of the person has been treated. Except as provided in subsection (3), continued eligibility for general relief medical assistance may be established in any subsequent month.
(3)"

20. Page 25, lines 18 and 20.
Strike: "18-month"
Insert: "12-month"

21. Page 26, line 9.
Strike: "18-month"
Insert: "12-month"

22. Page 26, line 10.
Strike: "September"
Insert: "January"

23. Page 26, line 11.
Strike: "1991"
Insert: "1990"

24. Page 26.
Following: line 12
Insert: "(7) Subsections (3) and (4) do not apply to general relief medical assistance."

25. Page 32.

Following: line 12
Insert: "Section 13. Section 53-3-307, MCA, is amended to read:

"53-3-307. County medical assistance not to be paid from state funds -- exception. (1) County general relief medical assistance ~~under 53-3-206~~ shall not be entitled to be paid from state funds.

(2) Medical expenses arising from accidental injury to interstate transients shall be paid from county funds and reimbursed by the state upon submission of a proper claim."

Section 14. Section 53-3-310, MCA, is amended to read:

"53-3-310. Scope of general relief medical assistance -- limitations. (1) General relief medical assistance is limited to ~~those services medically necessary to treat a person's serious medical condition~~ inpatient and outpatient hospital services, physician services, and prescription drugs. Assistance may not exceed the scope or duration of similar services provided under the Montana medicaid program pursuant to Title 53, chapter 6, part 1, and rules adopted by the department to administer the program.

(2) General relief medical assistance in a county without state-assumed welfare services must, within the limitations of subsection (1), be provided in amounts determined by the county welfare board.

(3) General relief medical assistance in counties with state-assumed welfare services must, within the limitations of subsection (1), be provided in amounts not to exceed payments under the medicaid program. Services must be limited to the least costly method of alleviating the serious medical condition.

(4) General relief medical assistance is limited to covered medical needs not met by other services or benefits available to the person. Available services or benefits include but are not limited to health and accident insurance, veterans' benefits, industrial accident benefits, medicare and medicaid benefits, and other liable third parties.

(5) A person who is chronically ill may receive general relief medical assistance for services limited to treatment of a serious medical condition related to chronic illness.

(6) A person who has an acute medical need but who is not chronically ill may receive general relief medical assistance but only for services necessary to treat a serious medical condition that requires immediate medical attention to alleviate a serious health risk.

(7) A child less than 18 years of age may receive the same scope and duration of services as provided under the Montana medicaid program provided for in Title 53, chapter 6.

(8) A person who requires medical services in order to obtain or retain employment may receive services similar to those provided under the Montana medicaid program but only for the duration of need.

(9) Except as provided in subsection (7), nothing in this chapter may be construed to require the same scope of medical services as provided under the Montana medicaid program.""
Renumber: subsequent sections

26. Page 32, lines 14, 15, 16, 17, and 20.
Strike: "for basic necessities"

27. Page 33, lines 8 through 20.
Strike: section 17 in its entirety

28. Page 39, line 12.
Strike: "Sections"
Insert: "Section"

29. Page 39, line 13.
Strike: "53-3-307, 53-3-310, 53-3-313, and 53-3-318, MCA, are"
Insert: "MCA, is"

30. Page 39, lines 15 and 16.
Strike: section 27 in its entirety

And, as amended do pass. Report adopted.

NATURAL RESOURCES (Stimatz, Chairman): 7/16/92
HB 58, be concurred in. Report adopted.
HB 59, be concurred in. Report adopted.
HJR 1, be concurred in. Report adopted.

ADVERSE COMMITTEE REPORT

TAXATION (Halligan, Chairman): 7/16/92
SB 14, Senator Halligan moved the adverse committee report on SB 14. Report adopted by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Burnett, Christiaens, Doherty, Eck, Franklin, Fritz, Hager, Halligan, Hammond, Harp, Hockett, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Nathe, Pipinich, Rea, Rye, Stimatz, Svrcek, Thayer, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Nays: Crippen, Devlin, Farrell, Gage, Grosfield, Harding, Keating, Noble, Pinsoneault, Swift, Tveit.
Total 11

Absent or not voting: None.
Total 0

Excused: None.
Total 0

ADVERSE COMMITTEE REPORT

FINANCE AND CLAIMS (Jacobson, Chairman): 7/17/92
HB 56 - Senator Jacobson moved the adverse committee report on HB 56. Report adopted by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Franklin, Gage, Grosfield, Hager, Halligan, Hammond, Harding, Harp, Hockett, Jergeson, Keating, Kennedy, Koehnke, Nathe, Noble, Pinsoneault, Rea, Rye, Stimatz, Svrcek, Swift, Thayer, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Nays: Bianchi, Fritz, Jacobson, Lynch, Pipinich.
Total 5

Absent or not voting: None.
Total 0

Excused: None.
Total 0

MESSAGES FROM THE OTHER HOUSE

Senate bill not concurred in and returned to the Senate:

SB 6, introduced by Towe

Senate bill indefinitely postponed and returned to the Senate:

SB 7, introduced by Towe

House bills passed and transmitted to the Senate for concurrence:

HB 5, introduced by Raney
HB 24, introduced by Cohen
HB 52, introduced by Cohen
HB 54, introduced by Ream

HB 2 - House, on July 15, 1992, failed to concur in Senate amendments to HB 2, authorized the Speaker to appoint a Free Conference Committee, and requested the Senate to appoint a like committee to confer on Senate amendments to HB 2. The Speaker appointed the following members:

Representative Peck, Chairman
Representative Kadas
Representative Thoft

HJR 2 - House, on July 16, 1992, failed to concur in Senate amendments to HJR 2, authorized the Speaker to appoint a Free Conference Committee, and requested the Senate to appoint a like committee to confer on Senate amendments to HJR 2. The Speaker appointed the following members:

Representative Ream, Chairman
Representative Schye
Representative Gilbert

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

SB 15, introduced by Grosfield, Gage, Cobb, T. Beck, Devlin, Lee, Noble, Rye, Swift, Anderson, Pinsoneault, Keating, Tveit, and Aklestad, referred to Committee on Finance and Claims
HB 5, introduced by Raney, referred to Committee on Finance and Claims
HB 24, introduced by Cohen (by the request of the Governor), referred to Committee on Taxation
HB 52, introduced by Cohen (by the request of the Department of Revenue), referred to Committee on Taxation
HB 54, introduced by Ream, referred to Committee on Taxation

MOTIONS

Majority Leader Van Valkenburg moved the Senate recess for party caucus until 10:45 a.m. this day. Motion carried.

Senate recessed at 10:22 a.m.

Senate reconvened at 11:13 a.m. President Mazurek presiding.

Roll call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Jacobson, Chairman): 7/17/92
HB 7, third reading copy, be concurred in. Report adopted.
HB 41, third reading copy, be concurred in. Report adopted.
HB 51, third reading copy, be concurred in. Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Majority Leader Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Harp in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 10 - Senator Keating moved that SB 10 do pass. Motion carried unanimously.

HB 58 - Senator Rea moved that HB 58 be concurred in. Motion carried by the following vote:

Yeas: Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Franklin, Fritz, Grosfield, Hager, Halligan, Harding, Harp, Hockett, Jacobson, Jergeson, Keating, Kennedy, Koehnke, Lynch, Noble, Pinsoneault, Pipinich, Rea,

Stimatz, Thayer, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Yellowtail, Mr. President.
Total 41

Nays: Aklestad, Gage, Hammond, Nathe, Rye, Svrcek, Swift, Williams.
Total 8

Absent or not voting: Tveit.
Total 1

Excused: None.
Total 0

HB 59 - Senator Rea moved that HB 59 be concurred in. Motion carried by the following vote:

Yeas: Anderson, Bianchi, Blaylock, Brown, Christiaens, Crippen, Doherty, Eck, Farrell, Franklin, Fritz, Hager, Halligan, Hockett, Jacobson, Jergeson, Kennedy, Lynch, Pinsoneault, Pipinich, Rea, Stimatz, Towe, Van Valkenburg, Vaughn, Weeding, Yellowtail, Mr. President.
Total 28

Nays: Aklestad, Beck, Bengtson, Bruski, Burnett, Devlin, Gage, Grosfield, Hammond, Harding, Harp, Keating, Koehnke, Nathe, Noble, Rye, Svrcek, Swift, Thayer, Tveit, Waterman, Williams.
Total 22

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HJR 1 - Senator Grosfield moved that HJR 1 be concurred in. Motion carried unanimously.

Majority Leader Van Valkenburg moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. Senate resumed. President Mazurek presiding. Chairman Harp moved the adoption of the committee report. Report adopted.

REPORTS OF STANDING COMMITTEES

BILLS AND JOURNAL (Pipinich, Chairman): 7/17/92
Correctly engrossed: SB 10

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 10 passed by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Franklin, Fritz, Gage, Grosfield, Hager, Halligan, Hammond, Harding, Harp, Hockett, Jacobson, Jergeson, Keating, Kennedy, Koehnke, Lynch, Nathe, Noble, Pinsoneault, Pipinich, Rea, Rye, Stimatz, Svrcek, Swift, Thayer, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 58 concurred in by the following vote:

Yeas: Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Franklin, Fritz, Grosfield, Hager, Halligan, Harding, Harp, Hockett, Jacobson, Jergeson, Keating, Kennedy, Koehnke, Lynch, Noble, Pipinich, Rea, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Yellowtail, Mr. President.
Total 41

Nays: Aklestad, Gage, Hammond, Nathe, Pinsoneault, Rye, Svrcek, Swift, Williams.
Total 9

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 59 concurred in by the following vote:

Yeas: Anderson, Bianchi, Blaylock, Brown, Bruski, Christiaens, Crippen, Doherty, Eck, Farrell, Franklin, Fritz, Halligan, Hockett, Jacobson, Jergeson, Kennedy, Lynch, Pinsoneault, Pipinich, Rea, Stimatz, Towe, Van Valkenburg, Vaughn, Weeding, Yellowtail, Mr. President.
Total 28

Nays: Aklestad, Beck, Bengtson, Burnett, Devlin, Gage, Grosfield, Hager, Hammond, Harding, Harp, Keating, Koehnke, Nathe, Noble, Rye, Svrcek, Swift, Thayer, Tveit, Waterman, Williams.
Total 22

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HJR 1 concurred in by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Franklin, Fritz, Gage, Grosfield, Hager, Halligan, Hammond, Harding, Harp, Hockett, Jacobson, Jergeson, Keating, Kennedy, Koehnke, Lynch, Noble, Pinsoneault, Pipinich, Rea, Rye, Stimatz, Svrcek, Swift, Thayer, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Nays: Nathe.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

MOTIONS

HB 2 - Majority Leader Van Valkenburg moved that the President be authorized to appoint a Free Conference Committee to meet with a like committee from the House on Senate amendments to HB 2. Motion carried. The President appointed the following members:

Senator Jacobson, Chair
Senator Jergeson
Senator Nathe

HJR 2 - Majority Leader Van Valkenburg moved that the President be authorized to appoint a Free Conference Committee to meet with a like committee from the House on Senate amendments to HJR 2. Motion carried. The President appointed the following members:

Senator Towe, Chair
Senator Eck
Senator Gage

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Van Valkenburg moved the Senate recess until 3 p.m. this day. Motion carried.

Senate recessed at 12:06 p.m.

Senate reconvened at 3:06 p.m. President Mazurek presiding.

Roll call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman):
7/17/92

HB 62, introduced bill, be amended as follows:

1. Page 28, line 12.
Following: line 11
Insert: "NEW SECTION. Section 14. Coordination instruction. (1) If House Bill No. 12 is passed and approved and if it includes a section that amends 15-1-504, then [section 1 of this act], amending 15-1-504, is void.
(2) If [this act] is passed and approved, then Senate Bill No. 1 is void August 1, 1993."
Renumber: subsequent section

2. Page 28, line 23.
Following: "13,"
Insert: "14,"

3. Page 29, line 4.
Strike: "NEXT"
Insert: "school"
Following: "YEAR"
Insert: "beginning July 1, 1993"

And, as amended, be concurred in. Report adopted.

TAXATION (Halligan, Chairman): 7/17/92
HB 44, third reading copy, be amended as follows:
1. Title, line 8.
Strike: "4.66"
Insert: "4.7"

2. Page 2, line 7.
Strike: "4.66%"
Insert: "4.7%"

3. Page 3, line 3.
Strike: "4.66%"
Insert: "4.7%"

4. Page 3.
Following: line 5
Insert: "(5) The additional tax collected under subsection (4) must be deposited to the credit of the state general fund."

5. Page 3, line 21.
Strike: "state"

6. Page 4, lines 1 and 2.
Strike: "Except" on line 1 through "the" on line 2
Insert: "The"

7. Page 29, line 9.
Strike: "the tax year"
Insert: "tax years"

8. Page 29, line 10.
Strike: "ending"
Strike: "1993"
Insert: "1994"
Following: "."
Insert: "The department of revenue shall adjust withholding tables for the month beginning September 1, 1992, in order to collect the full amount of the 2.3% surtax imposed in [section 2] during the remainder of this calendar year."

9. Page 30, line 1.
Strike: "and"
Strike: "through"
Strike: "31"
Insert: ", and 29"

10. Page 30, line 5.
Strike: "and"
Strike: "through"
Strike: "31"
Insert: ", and 29"

11. Page 30, lines 7 and 11.
Strike: "27"
Insert: "24"

12. Page 31.
Following: line 4
Insert: "(8) (a) [Sections 25 through 27] apply for 1 calendar year to tax liabilities beginning 1 day after [the effective date of this act].

(b) [Sections 25 through 27] terminate 1 year after [the effective date of this act].

(9) (a) [Sections 30 and 31] apply retroactively, within the meaning of 1-2-109, to the tax year beginning after December 31, 1991.

(b) [Sections 30 and 31] terminate upon receipt of taxes for the calendar year ending December 31, 1992.

NEW SECTION. Section 40. Coordination instruction. If House Bill No. 24 is passed and approved, then [section 12 of this act] is void."

And, as amended, be concurred in. Report adopted.

ADVERSE COMMITTEE REPORT

FINANCE AND CLAIMS (Jacobson, Chairman): 7/17/92
HB 5, Senator Jacobson moved the adverse committee report on HB 5 be concurred in. Report adopted by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Franklin, Fritz, Grosfield, Hager, Halligan, Hammond, Harding, Harp, Hockett, Jacobson, Jergeson, Keating, Kennedy, Koehnke, Nathe, Noble, Pinsoneault, Pipinich, Rea, Rye, Stimatz, Svrcek, Swift, Thayer, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Nays: Gage, Lynch.
Total 2

Absent or not voting: None.
Total 0

Excused: None.
Total 0

MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence:

HB 22, introduced by Hoffman
HB 27, introduced by Daily
HB 32, introduced by Cody

FIRST READING AND COMMITMENT OF BILLS

The following bills were introduced, read first time, and referred to committees:

HB 22, introduced by Hoffman, referred to Committee on Education
HB 27, introduced by Daily, referred to Committee on Taxation
HB 32, introduced by Cody, referred to Committee on Finance and Claims

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Majority Leader Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Harp in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 7 - Senator Nathe moved that HB 7 be concurred in. Motion carried unanimously.

HB 41 - Senator Jacobson moved that HB 41 be amended as follows:

1. Title, lines 7 and 8.
Following: "TRANSFERRING"
Strike: "THE BALANCE AS OF SEPTEMBER 1, 1992,"
Insert: "$300,000"

2. Page 6, lines 4 through 6.
Following: "On" on line 4
Strike: "September 1, 1992"
Insert: "[the effective date of this act]"
Following: "shall" on line 5
Strike: ", after payments are made to schools,"
Following: "transfer" on line 6
Strike: "the balance remaining in"
Insert: "$300,000 from"

Amendment adopted unanimously.

Senator Jacobson moved that HB 41, as amended, be concurred in. Motion carried by the following vote:

Yeas: Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Christiaens, Crippen, Doherty, Eck, Franklin, Fritz, Grosfield, Hager, Halligan, Hammond, Harp, Hockett, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Nathe, Noble, Pinsoneault, Pipinich, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail.
Total 38

Nays: Aklestad, Burnett, Devlin, Farrell, Gage, Harding, Keating, Rye, Swift, Thayer, Tveit, Mr. President.
Total 12

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 51 - Senator Jacobson moved that HB 51 be concurred in. Motion carried unanimously.

HB 44 - Senator Farrell moved that HB 44 be amended as follows:

1. Title, line 11.
Following: "REVENUE"
Strike: "OTHER THAN THE ADDITIONAL FUEL TAX REVENUE"

2. Page 7, line 17 through page 8, line 8.
Strike: sections 16 through 19 in their entirety
Renumber: subsequent sections

3. Page 11, line 25.

Strike: "21"
Insert: "17"

4. Page 14, lines 4 and 7.
Strike: "22"
Insert: "18"

5. Page 17, line 7.
Strike: "28"
Insert: "24"

6. Page 22, line 1.
Strike: "33"
Insert: "29"

7. Page 24, line 19.
Strike: "36"
Insert: "32"

8. Page 27, lines 11 through 22.
Strike: subsections (14) through (16) in their entirety
Renumber: subsequent subsections

9. Page 27, line 23 and page 28, line 1.
Strike: "20 through 22"
Insert: "16 through 18"

10. Page 28, lines 2 and 5.
Strike: "28"
Insert: "24"

11. Page 28, lines 6 and 9.
Strike: "31"
Insert: "27"

12. Page 28, lines 10 and 13.
Strike: "33"
Insert: "29"

13. Page 28, lines 14 and 17.
Strike: "34"
Insert: "30"

14. Page 29, lines 1 and 4.
Strike: "36"
Insert: "32"

15. Page 29, line 25 and page 30, line 4.
Strike: "18,"

16. Page 30, lines 1 and 5.
Strike: "28"
Insert: "24"

Strike: "31"
Insert: "27"

17. Page 30, lines 7 and 11.
Following: "16"
Strike: ", 17, 20, 21, 22"
Following: "28"
Strike: "27"
Insert: "23"

18. Page 30, lines 8 and 12.
Strike: "32"
Insert: "28"
Strike: "34"
Insert: "30"

19. Page 30, lines 14 and 17.
Strike: "19,"
Strike: "35, AND 36"
Insert: "31 and 32"

Amendment failed as follows:

Yeas: Aklestad, Anderson, Beck, Brown, Burnett, Crippen, Devlin, Farrell, Gage, Grosfield, Hammond, Harding, Harp, Keating, Nathe, Noble, Pinsoneault, Rye, Swift, Thayer, Tveit.
Total 21

Nays: Bengtson, Bianchi, Blaylock, Bruski, Christiaens, Doherty, Eck, Franklin, Fritz, Hager, Halligan, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Pipinich, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Absent or not voting: Hockett.
Total 1

Excused: None.
Total 0

Senator Towe moved HB 44, be concurred in. Motion carried by the following vote:

Yeas: Bengtson, Bianchi, Blaylock, Bruski, Christiaens, Doherty, Eck, Franklin, Fritz, Halligan, Hockett, Jacobson, Jergeson, Kennedy, Lynch, Pipinich, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 27

Nays: Aklestad, Anderson, Beck, Brown, Burnett, Crippen, Devlin, Farrell, Gage, Grosfield, Hager, Hammond, Harding, Harp, Keating, Koehnke, Nathe, Noble, Pinsoneault, Rye, Swift, Thayer, Tveit.
Total 23

Absent or not voting: None.
Total 0

Excused: None.
Total 0

Majority Leader Van Valkenburg moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. Senate resumed. President Mazurek presiding. Chairman Harp moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 7, concurred in by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Franklin, Fritz, Gage, Grosfield, Hager, Halligan, Hammond, Harding, Harp, Hockett, Jacobson, Jergeson, Keating, Kennedy, Koehnke, Lynch, Nathe, Noble, Pinsoneault, Pipinich, Rea, Rye, Stimatz, Svrcek, Swift, Thayer, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 41, concurred in by the following vote:

Yeas: Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Doherty, Eck, Franklin, Fritz, Grosfield, Hager, Halligan, Hockett, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Nathe, Noble, Pipinich, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Weeding, Yellowtail.
Total 33

Nays: Aklestad, Anderson, Devlin, Farrell, Gage, Hammond, Harding, Harp, Keating, Pinsoneault, Rye, Swift, Thayer, Tveit, Waterman, Williams, Mr. President.
Total 17

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 51, concurred in by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Franklin, Fritz, Gage, Grosfield, Hager, Halligan, Hammond, Harding, Harp, Hockett, Jacobson, Jergeson, Keating, Kennedy, Koehnke, Lynch, Nathe, Noble, Pinsoneault, Pipinich, Rea, Rye, Stimatz, Svrcek, Swift, Thayer, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Nays: Burnett.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 44, concurred in by the following vote:

Yeas: Bengtson, Bianchi, Blaylock, Bruski, Christiaens, Doherty, Eck, Franklin, Fritz, Halligan, Hockett, Jacobson, Jergeson, Kennedy, Lynch, Pipinich, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 27

Nays: Aklestad, Anderson, Beck, Brown, Burnett, Crippen, Devlin, Farrell, Gage, Grosfield, Hager, Hammond, Harding, Harp, Keating, Koehnke, Nathe, Noble, Pinsoneault, Rye, Swift, Thayer, Tveit.
Total 23

Absent or not voting: None.
Total 0

Excused: None.
Total 0

MESSAGES FROM THE OTHER HOUSE

Senate bill concurred in and returned to the Senate:

SB 10, introduced by Keating

MOTIONS

HB 59 - Senator Rea moved that the House return HB 59 to the Senate for further consideration. Motion carried unanimously.

Majority Leader Van Valkenburg moved the Senate recess until 5:45 p.m. this day. Motion carried.

Senate recessed at 4:48 p.m.

Senate reconvened at 5:54 p.m. President Mazurek presiding.

Roll call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

TAXATION (Halligan, Chairman): 7/17/92
SB 4, first reading copy, be amended as follows:

1. Title, line 6.
Following: "OF"
Insert: "QUALIFIED"

2. Page 2, line 3.
Following: "(e)"
Insert: "qualified"

3. Page 2, line 15.
Following: "(c)""
Insert: "qualified"

And, as amended, do pass. Report adopted.

HB 24, be concurred in. Report adopted.
HB 52, be concurred in. Report adopted.

HB 48, third reading copy, be amended as follows:

1. Title, line 8.
Following: "AGREEMENTS"
Insert: "AND LEASES"

2. Title, line 10.
Following: "AGREEMENTS"
Insert: "AND LEASES"

3. Title, line 11.
Following: "AGREEMENT"
Insert: "AND LEASE"

4. Title, lines 12 through 15.
Strike: "REQUIRING" on line 12 through "STATE;" on line 15

5. Page 1, line 24.
Following: "of"
Insert: "leases or"

6. Page 1, line 25.

Following: "existing"
Insert: "leases or"

7. Page 3, line 22.
Strike: "[A]"

8. Page 3, line 25 through page 4, line 5.
Strike: subsection (b) in its entirety

9. Page 4, line 6.
Following: "store"
Insert: "or a person leasing space to the department to operate a liquor store"

10. Page 4, line 7.
Following: "renew the"
Insert: "lease or"

11. Page 4, line 8.
Following: "bids"
Insert: "or request for proposals"

12. Page 4, line 10.
Strike: "highest"
Insert: "most favorable"
Following: "bid"
Insert: "or proposal"
Following: "Those"
Insert: "leases or"

13. Page 4, line 12.
Following: "of the"
Insert: "lease or"

14. Page 4, line 13.
Following: "bids"
Insert: "or request for proposals"

15. Page 4, line 16.
Following: "extending"
Insert: "leases or"

16. Page 4, line 17.
Following: "existing"
Insert: "leases or"

17. Page 5.
Following: line 3
Insert: "(2) [Sections 1 and 2] apply to bids or proposals that have not yet been awarded after [the effective date of this act]."
Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

HB 59 - The House of Representatives acceded to the request of the Senate for the return of HB 59 for further consideration.

MOTIONS

HB 59 - Majority Leader Van Valkenburg moved that HB 59 be placed on second reading the twelfth legislative day July, 18, 1992. Motion carried unanimously.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Majority Leader Van Valkenburg moved the Senate adjourn until 9 a.m. Saturday, July 18, 1992. Motion carried.

Senate adjourned at 6:04 p.m.

JOSEPH P. MAZUREK
President of the Senate

DAVE HUNTER
Secretary of the Senate

7. Page 3, line 22.
Strike: "IA."

8. Page 4, line 6.
Following: "store"
Insert: "or a person leasing space to the determined"

9. Page 4, line 7.
Following: "renter"
Insert: "lessee or"

10. Page 4, line 8.
Strike: "budget"
Insert: "most favorable"
Following: "bid"
Insert: "or proposal"
Following: "lease"
Insert: "lessee or"

11. Page 4, line 9.
Following: "bids"
Insert: "lessee or"

12. Page 4, line 10.
Following: "bids"
Insert: "or proposals"

13. Page 4, line 12.
Following: "bids"
Insert: "lessee or"

14. Page 4, line 13.
Following: "bids"
Insert: "or request for proposals"

15. Page 4, line 16.
Following: "extending"
Insert: "lessee or"

16. Page 4, line 17.
Following: "existing"
Insert: "lessee or"

17. Page

TWELFTH LEGISLATIVE DAY

Helena, Montana
July 18, 1992

Senate Chambers
State Capitol

Senate convened at 9:12 a.m. President Mazurek presiding. Invocation by Senator Keating. Pledge of Allegiance to the flag.

Roll call. All members present, except Senator Thayer, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS AND JOURNAL (Pipinich, Chairman): 7/18/92
Correctly printed and placed on members' desks: SB 4
Correctly enrolled: SB 10
Signed by the President at 1: p.m., July 18, 1992: SB 10

EDUCATION AND CULTURAL RESOURCES (Blaylock, Chairman):
7/18/92

HB 22, be concurred in. Report adopted.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Majority Whip Svrcek moved that the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. President Pro Tem Lynch in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 4 - Senator Doherty moved that SB 4 do pass. Motion failed by the following vote:

Yeas: Bianchi, Blaylock, Bruski, Doherty, Eck, Franklin, Fritz, Grosfield, Hockett, Jacobson, Jergeson, Kennedy, Koehnke, Rea, Stimatz, Svrcek, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 23

Nays: Aklestad, Anderson, Beck, Bengtson, Brown, Burnett, Christiaens, Crippen, Devlin, Farrell, Gage, Hager, Halligan, Hammond, Harding, Harp, Keating, Lynch, Nathe, Noble, Pinsoneault, Pipinich, Rye, Swift, Towe, Tveit.
Total 26

Absent or not voting: None.
Total 0

Excused: Thayer.
Total 1

Senator Harp moved that SB 4 be indefinitely postponed. Motion carried by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Brown, Bruski, Burnett, Christiaens, Crippen, Devlin, Farrell, Gage, Grosfield, Hager, Halligan,

Hammond, Harding, Harp, Keating, Kennedy, Koehnke, Lynch, Nathe, Noble, Pinsoneault, Pipinich, Rye, Swift, Towe, Tveit, Vaughn, Weeding.
Total 32

Nays: Bianchi, Blaylock, Doherty, Eck, Franklin, Fritz, Hockett, Jacobson, Jergeson, Rea, Stimatz, Svrcek, Van Valkenburg, Waterman, Williams, Yellowtail, Mr. President.
Total 17

Absent or not voting: None.
Total 0

Excused: Thayer.
Total 1

HB 24 - Senator Towe moved that HB 24 be concurred in. Motion carried by the following vote:

Yeas: Aklestad, Bengtson, Bianchi, Blaylock, Brown, Bruski, Christiaens, Crippen, Doherty, Eck, Franklin, Fritz, Grosfield, Halligan, Hammond, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Pinsoneault, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 32

Nays: Anderson, Beck, Burnett, Devlin, Farrell, Gage, Hager, Harding, Harp, Hockett, Keating, Nathe, Noble, Pipinich, Rye, Swift, Tveit.
Total 17

Absent or not voting: None.
Total 0

Excused: Thayer.
Total 1

HB 48 - Senator Halligan moved that HB 48 be concurred in. Motion carried unanimously.

HB 52 - Senator Gage moved that HB 52 be concurred in. Motion carried unanimously.

HB 54 - Senator Eck moved that HB 54 be concurred in. Motion carried by the following vote:

Yeas: Aklestad, Anderson, Bengtson, Bianchi, Blaylock, Brown, Bruski, Christiaens, Crippen, Doherty, Eck, Franklin, Fritz, Grosfield, Hager, Halligan, Hammond, Harding, Harp, Hockett, Jacobson, Jergeson, Kennedy, Lynch, Noble, Pinsoneault, Pipinich, Rye, Stimatz, Svrcek, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Nays: Beck, Burnett, Devlin, Farrell, Gage, Keating, Koehnke, Nathe, Rea, Swift.
Total 10

Absent or not voting: None.
Total 0

Excused: Thayer.
Total 1

HB 59 - Senator Rea moved that HB 59 be amended as follows:

1. Page 2, line 4.
Following: "Montana for"
Insert: "commercial"

Amendment adopted.

Senator Rea moved that HB 59, as amended, be concurred in. Motion carried by the following vote:

Yeas: Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Christiaens, Crippen, Doherty, Eck, Franklin, Fritz, Harding, Harp, Hockett, Jacobson, Jergeson, Keating, Kennedy, Lynch, Pinsoneault, Pipinich, Rea, Stimatz, Towe, Van Valkenburg, Vaughn, Weeding, Williams, Yellowtail, Mr. President.
Total 31

Nays: Aklestad, Bruski, Burnett, Devlin, Farrell, Gage, Grosfield, Hager, Hammond, Koehnke, Nathe, Noble, Rye, Svrcek, Swift, Tveit, Waterman.
Total 17

Absent or not voting: Halligan.
Total 1

Excused: Thayer.
Total 1

Majority Leader Van Valkenburg moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. Senate resumed. President Mazurek presiding. Chairman Lynch moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 24 - concurred in by the following vote:

Yeas: Aklestad, Bengtson, Bianchi, Blaylock, Brown, Bruski, Christiaens, Crippen, Doherty, Eck, Franklin, Fritz, Grosfield, Halligan, Hammond, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Pinsoneault, Pipinich, Rea,

Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 33

Nays: Anderson, Beck, Burnett, Devlin, Farrell, Gage, Hager, Harding, Harp, Hockett, Keating, Nathe, Noble, Rye, Swift, Thayer, Tveit.
Total 17

Paired: Svrcek, Yea; Thayer, Nay.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 48 - concurred in by the following vote:

Yeas: Aklestad, Anderson, Bengtson, Bianchi, Blaylock, Brown, Bruski, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Franklin, Fritz, Gage, Grosfield, Halligan, Hammond, Harding, Harp, Hockett, Jacobson, Jergeson, Keating, Kennedy, Koehnke, Lynch, Nathe, Noble, Pinsoneault, Pipinich, Rea, Stimatz, Svrcek, Swift, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Nays: Beck, Burnett, Hager, Rye.
Total 4

Absent or not voting: None.
Total 0

Excused: Thayer.
Total 1

HB 52 - concurred in by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Franklin, Fritz, Gage, Grosfield, Hager, Halligan, Hammond, Harding, Harp, Hockett, Jacobson, Jergeson, Keating, Kennedy, Koehnke, Lynch, Nathe, Noble, Pinsoneault, Pipinich, Rea, Rye, Stimatz, Svrcek, Swift, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Thayer.
Total 1

HB 54 - concurred in by the following vote:

Yeas: Aklestad, Anderson, Bengtson, Bianchi, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Doherty, Eck, Farrell, Franklin, Fritz, Grosfield, Hager, Halligan, Hammond, Harding, Harp, Hockett, Jacobson, Jergeson, Kennedy, Lynch, Noble, Pinsoneault, Pipinich, Rye, Stimatz, Svrcek, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Nays: Beck, Devlin, Gage, Keating, Koehnke, Nathe, Rea, Swift.
Total 8

Absent or not voting: None.
Total 0

Excused: Thayer.
Total 1

HB 59 - concurred in by the following vote:

Yeas: Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Christiaens, Crippen, Doherty, Eck, Farrell, Franklin, Fritz, Halligan, Harp, Hockett, Jacobson, Jergeson, Kennedy, Lynch, Pinsoneault, Pipinich, Rea, Stimatz, Towe, Van Valkenburg, Vaughn, Weeding, Williams, Yellowtail, Mr. President.
Total 31

Nays: Aklestad, Bruski, Burnett, Devlin, Gage, Grosfield, Hager, Hammond, Harding, Keating, Koehnke, Nathe, Noble, Rye, Svrcek, Swift, Tveit, Waterman.
Total 18

Absent or not voting: None.
Total 0

Excused: Thayer.
Total 1

MOTIONS

Majority Leader Van Valkenburg moved the Senate recess until 10:30 a.m. this day. Motion carried.

Senate recessed at 10:09 a.m.

Senate reconvened at 10:48 a.m. President Mazurek presiding.

Roll call. All members present, except Senator Thayer, excused. Quorum present.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Majority Leader Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. President Pro Tem Lynch in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 22 - Senator Hammond moved that HB 22 be concurred in. Motion carried bye the following vote:

Yeas: Aklestad, Anderson, Bengtson, Bianchi, Blaylock, Brown, Bruski, Burnett, Christiaens, Devlin, Doherty, Eck, Franklin, Fritz, Grosfield, Hager, Halligan, Hammond, Harp, Hockett, Jacobson, Jergeson, Kennedy, Koehnke, Nathe, Noble, Pinsoneault, Rea, Rye, Stimatz, Svrcek, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Mr. President.
Total 39

Nays: Beck, Farrell, Gage, Harding, Keating, Lynch, Pipinich, Swift, Yellowtail.
Total 9

Absent or not voting: Crippen.
Total 1

Excused: Thayer.
Total 1

HB 62 - Majority Leader Van Valkenburg moved that HB 62 be amended as follows:

1. Title, line 13.
Following: ";"
Insert: "DELAYING THE PAYMENT OF THE FULL AMOUNT OF THE FOUNDATION PROGRAM PAYMENT TO EACH DISTRICT IN JUNE 1993;"

2. Page 11, line 14; page 14, line 15; page 16, lines 15, 17, and 20; and page 17, line 1.
Strike: "entitlement"

3. Page 17, line 15.
Strike: "entitlement"
Insert: "payments"

4. Page 20, lines 10, 12, 15, and 18.
Strike: "entitlement of"
Insert: "payment to"

5. Page 20, line 17.
Following: "of"

Insert: ": (i)"
Following: "the"
Insert: "1993"
Following: "year,"
Insert: "one-half of the remaining foundation program payment of each district and on July 15, 1993, the remaining school fiscal year 1993 foundation program payment of each district; and
(ii) the school fiscal year,"

6. Page 24, line 23.
Strike: "entitlement"
Insert: "payments"

7. Page 25, line 10.
Strike: "entitlement"
Insert: "payment"

Amendment adopted by the following vote:

Yeas: Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Christiaens, Devlin, Doherty, Eck, Farrell, Franklin, Fritz, Gage, Grosfield, Hager, Halligan, Harding, Harp, Hockett, Jacobson, Jergeson, Keating, Kennedy, Koehnke, Lynch, Nathe, Noble, Pinsoneault, Pipinich, Rea, Rye, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Nays: Aklestad, Burnett, Crippen, Hammond, Swift, Tveit.
Total 6

Absent or not voting: None.
Total 0

Excused: Thayer.
Total 1

Senator Blaylock moved that HB 62, as amended, be concurred in. Motion carried by the following vote:

Yeas: Bengtson, Bianchi, Blaylock, Brown, Bruski, Christiaens, Doherty, Eck, Farrell, Franklin, Fritz, Halligan, Hockett, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Pinsoneault, Pipinich, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 31

Nays: Aklestad, Anderson, Beck, Burnett, Crippen, Devlin, Gage, Grosfield, Hager, Hammond, Harding, Harp, Keating, Nathe, Noble, Rye, Swift, Tveit.
Total 18

Absent or not voting: None.
Total 0

Excused: Thayer.
Total 1

Majority Leader Van Valkenburg moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. Senate resumed. President Mazurek presiding. Chairman Lynch moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 22, concurred in by the following vote:

Yeas: Aklestad, Anderson, Bengtson, Bianchi, Blaylock, Brown, Bruski, Christiaens, Devlin, Doherty, Eck, Franklin, Fritz, Gage, Grosfield, Hager, Halligan, Hammond, Hockett, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Nathe, Pinsoneault, Pipinich, Rea, Rye, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 39

Nays: Beck, Burnett, Crippen, Farrell, Harding, Harp, Keating, Noble, Swift, Tveit.
Total 10

Absent or not voting: None.
Total 0

Excused: Thayer.
Total 1

HB 62, concurred in by the following vote:

Yeas: Bengtson, Bianchi, Blaylock, Brown, Bruski, Christiaens, Doherty, Eck, Farrell, Franklin, Fritz, Halligan, Hockett, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Pipinich, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 30

Nays: Aklestad, Anderson, Beck, Burnett, Crippen, Devlin, Gage, Grosfield, Hager, Hammond, Harding, Harp, Keating, Nathe, Noble, Pinsoneault, Rye, Swift, Thayer, Tveit.
Total 20

Paired: Svrcek, Yea; Thayer, Nay.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

MESSAGES FROM THE OTHER HOUSE

Senate amendments to the following House bills concurred in:

HB 41, introduced by Kadas
HB 48, introduced by Harrington
HB 59, introduced by Madison

MOTIONS

Majority Leader Van Valkenburg moved the Senate recess until 2 p.m. this day. Motion carried.

Senate recessed at 12:01 p.m.

Senate reconvened at 2:05 p.m. President Mazurek presiding.

Roll call. All members present except Thayer, excused. Quorum present.

COMMUNICATIONS AND PETITIONS

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the eighth, ninth, tenth, and eleventh legislative days, find the same to be correct.

Pipinich, Chairman

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Jacobson, Chairman): 7/18/92
HB 8, be amended as follows:

1. Amend Senate Finance and Claims committee report dated July 16, 1992.

Amendment No. 1
Strike amendment No. 1 in its entirety.

AND THAT HOUSE BILL NO. 8, THIRD READING COPY, BE FURTHER AMENDED AS FOLLOWS:

2. Page 2, line 11.
Following: "biennium."
Insert: "Departments or agencies headed by elected officials or the board of regents may not be required to reduce general fund spending by a percentage greater than the percentage of general fund spending reductions required for the total of all other executive branch agencies."

3. Page 4, line 12.

Following: "governor."
Strike: "of"
Insert: "by which"
Strike: "negative"

4. Page 4, line 13.
Following: "biennium"
Strike: "or"
Insert: "is less than"

And, as amended, be concurred in. Report adopted.

HB 32, be concurred in. Report adopted.

MOTIONS

Majority Leader Van Valkenburg moved the Senate recess subject to the call of the chair. Motion carried.

Senate recessed at 2:10 p.m.

Senate reconvened at 2:40 p.m. President Mazurek presiding.

Roll call. All members present except Thayer, excused. Quorum present.

REPORTS OF SELECT COMMITTEES

Conference Committee
on HJR 2
Report No. 1, July 18, 1992

Mr. Speaker and Mr. President:

We, your Conference Committee on HJR 2 met and considered House Joint Resolution 2 and recommend that HJR 2 (reference copy -- salmon) be amended as follows:

1. Page 3, line 4.
Strike: "$492,883,000"
Insert: "$493,598,000"

2. Page 3, line 6.
Strike: "$372,561,000"
Insert: "$372,846,000"

3. Page 3.
Following: line 13
Insert: "BE IT FURTHER RESOLVED, that the Board of Examiners, prior to issuing tax and revenue anticipation notes (TRANS) to investors outside of state government, look to borrowable funds within the various funds and accounts in the state treasury, including funds that can be borrowed from the board of investments as an investment by the Board of Investments at market interest rates

and consistent with the prudent investor rule. Additionally, that the total net income potentially available to the State of Montana, including any arbitrage obtainable and all of the costs associated with issuing TRANS, be recognized by the Board of Examiners and by the Board of Investments and its staff when issuing TRANS or borrowing money from within the state treasury.

BE IT FURTHER RESOLVED, that all borrowable funds within the state treasury be taken into account in determining the cash balance available within the state treasury."

4. Page 4, line 25.
Strike: "$15.397"
Insert: "$16.397"

5. Page 7, line 17.
Strike: "$210.821"
Insert: "$211.449"
Strike: "$395.479"
Insert: "$396.107"

6. Page 7, line 25.
Strike: "44.743"
Insert: "44.830"
Strike: "86.258"
Insert: "86.345"

7. Page 8, line 25.
Strike: "$492.883"
Insert: "$493.598"
Strike: "$947.895"
Insert: "$948.610"

8. Page 9, line 9.
Strike: "$95.675"
Insert: "$95.960"
Strike: "$179.476"
Insert: "$179.761"

9. Page 9, line 23.
Strike: "$264.340"
Insert: "$264.625"
Strike: "$518.365"
Insert: "$518.650"

10. Page 10, line 14.
Strike: "$372.561"
Insert: "$372.846"
Strike: "$738.126"
Insert: "$738.411"

11. Page 10, line 18.
Strike: "$865.444"
Insert: "$866.444"

Strike: "$1,686.021"
Insert: "$1,687.021"

And, that this Conference Committee report be adopted.

For the House:	For the Senate:
Rep. Ream, Chair	Sen. Towe, Chair
Rep. Gilbert	Sen. Gage
Rep. Schye	Sen. Eck

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Majority Leader Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. President Pro Tem Lynch in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 8 - Senator Grosfield moved to amend HB 8 as follows:

1. Title, line 15.
Following: ";"
Insert: "REQUIRING A DEPARTMENT HEAD TO PRIORITIZED THE DUTIES OF THE DEPARTMENT IN SUBMITTING A BUDGET IN ORDER TO ASSIST THE GOVERNOR IN MAKING DECISIONS CONCERNING REDUCTIONS IN SPENDING;"

2. Title, line 16.
Following: "SECTIONS"
Insert: "17-7-111,"

3. Page 10, line 3.
Following: line 2
Insert: "Section 4. Section 17-7-111, MCA, is amended to read:

"17-7-111. Agency program budgets -- form distribution and contents. (1) In the preparation of a state budget, the budget director shall, not later than July 1 in the year preceding the convening of the legislature, distribute to all state offices and departments, including the judicial branch and the legislative branch, the proper forms necessary for the preparation of budget estimates. These forms shall be prescribed by the budget director to procure the information required by subsection (2).

(2) The agency budget requests, when completed by the budget office, must set forth a balanced financial plan for the agency completing the forms for each fiscal year of the ensuing biennium. The plan must consist of:

(a) a consolidated agency budget summary for current level expenditures and for each modification request setting forth the aggregate figures of the full-time equivalent personnel positions (FTE) and the budget in such manner as to show a balance

between the total proposed disbursements and the total anticipated receipts, together with the other means of financing the budget for each fiscal year of the ensuing biennium, contrasted with the corresponding figures for the last completed fiscal year and the fiscal year in progress. The consolidated budget summary must be supported by schedules classifying receipts and disbursements contained therein by fund and, where applicable, organizational unit.

(b) a schedule of the actual and projected receipts, disbursements, and solvency of each accounting entity within each fund for the current and subsequent biennium;

(c) a detailed schedule of receipts, by accounting entity within each fund, indicating classification and source of funds;

(d) an agency schedule summarizing past and proposed spending plans and the means of financing the proposed plan. Information presented shall include the following:

(i) a statement of agency goals and objectives and a statement of goals and objectives for each program of the agency. Such goals and objectives must include, in a concise form, sufficient specific information and quantifiable information to enable the legislature to formulate an appropriations policy regarding the agency and its programs and to allow a determination, at some future date, on whether the agency has succeeded in attaining its goals and objectives. The goals and objectives must contain a list of duties prioritized by the department director to reflect the director's opinion concerning the importance of the duties assigned to the agency by law. Any discretionary programs established by the agency that are not required by law must also be enumerated.

(ii) actual FTE and disbursements for the completed fiscal year of the current biennium, estimated FTE and disbursements for the current fiscal year, and the agency's request for the ensuing biennium, by program; and

(iii) actual disbursements for the completed fiscal year of the current biennium, estimated disbursements for the current fiscal year, and the agency's recommendations for the ensuing biennium, by disbursement category;

(e) any other information the budget director feels is necessary for the preparation of a budget.

(3) The budget director must also prepare and submit to the legislative fiscal analyst in accordance with 17-7-112:

(a) detailed recommendations for the state long-range building program. Each recommendation shall be presented by department, institution, agency, or branch by funding source, with a description of each proposed project; and

(b) the proposed pay plan schedule for all executive branch employees, with the specific cost and funding recommendations for each agency. Submission of a pay plan schedule under this subsection is not an unfair labor practice under 39-31-401.

(4) The board of regents shall submit, with its budget request for each university unit in accordance with 17-7-112, a report on the university system bonded indebtedness and related

finances as provided in this subsection (4). The report must include the following information for each year of the biennium, contrasted with the same information for the last completed fiscal year and the fiscal year in progress:

(a) a schedule of estimated total bonded indebtedness for each university unit by bond indenture;

(b) a schedule of estimated revenue, expenditures, and fund balances by fiscal year for each outstanding bond indenture, clearly delineating the accounts relating to each indenture and the minimum legal funding requirements for each bond indenture; and

(c) a schedule showing the total funds available from each bond indenture and its associated accounts, with a list of commitments and planned expenditures from such accounts, itemized by revenue source and project for each year of the current and ensuing bienniums.""

Renumber: subsequent section

Amendment adopted by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Gage, Grosfield, Hager, Halligan, Hammond, Harding, Harp, Hockett, Jacobson, Jergeson, Keating, Kennedy, Koehnke, Lynch, Nathe, Noble, Pinsoneault, Pipinich, Rye, Stimatz, Svrcek, Swift, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Nays: Bianchi, Franklin, Fritz, Rea.
Total 4

Absent or not voting: None.
Total 0

Excused: Thayer.
Total 1

Senator Jacobson moved that HB 8 be concurred in. Motion carried by the following vote:

Yeas: Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Christiaens, Doherty, Eck, Farrell, Franklin, Fritz, Gage, Grosfield, Hager, Halligan, Harp, Hockett, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Noble, Pipinich, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 36

Nays: Aklestad, Anderson, Burnett, Crippen, Devlin, Hammond, Harding, Keating, Nathe, Pinsoneault, Rye, Swift, Tveit.
Total 13

Absent or not voting: None.
Total 0

Excused: Thayer.
Total 1

HB 32 - Senator Waterman moved that HB 32 be concurred in. Motion failed by the following vote:

Yeas: Aklestad, Bengtson, Blaylock, Brown, Crippen, Eck, Gage, Grosfield, Hammond, Harding, Harp, Hockett, Jacobson, Jergeson, Kennedy, Lynch, Nathe, Rye, Stimatz, Swift, Towe, Vaughn, Waterman, Weeding.
Total 24

Nays: Anderson, Beck, Bianchi, Bruski, Burnett, Christiaens, Devlin, Doherty, Farrell, Franklin, Fritz, Hager, Halligan, Keating, Koehnke, Noble, Pinsoneault, Pipinich, Rea, Tveit, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 24

Absent or not voting: Svrcek.
Total 1

Excused: Thayer.
Total 1

HJR 2 - Senator Towe moved the adoption of the Free Conference Committee report. Report adopted unanimously.

Majority Leader Van Valkenburg moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. Senate resumed. President Mazurek presiding. Chairman Lynch moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 8 concurred in by the following vote:

Yeas: Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Christiaens, Doherty, Eck, Farrell, Franklin, Fritz, Gage, Grosfield, Hager, Halligan, Harp, Hockett, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Nathe, Noble, Pinsoneault, Pipinich, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 38

Nays: Aklestad, Anderson, Burnett, Crippen, Devlin, Harding, Keating, Rye, Swift, Tveit.
Total 10

Absent or not voting: Hammond.
Total 1

Excused: Thayer.
Total 1

HJR 2 adopted by the following vote:

Yeas: Aklestad, Anderson, Beck, Bengtson, Bianchi, Blaylock, Brown, Bruski, Burnett, Christiaens, Crippen, Devlin, Doherty, Eck, Farrell, Franklin, Fritz, Gage, Grosfield, Hager, Halligan, Harding, Harp, Hockett, Jacobson, Jergeson, Keating, Kennedy, Koehnke, Lynch, Nathe, Noble, Pinsoneault, Pipinich, Rea, Rye, Stimatz, Svrcek, Swift, Towe, Tveit, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Nays: None.
Total 0

Absent or not voting: Hammond.
Total 1

Excused: Thayer.
Total 1

ANNOUNCEMENTS

Majority Leader Van Valkenburg announced a meeting of the Legislative joint leadership with the conferees of the Free Conference Committee on HB 2, in room 325, upon recess.

MOTIONS

Majority Leader Van Valkenburg moved the Senate recess subject to the call of the Chair. Motion carried.

Senate recessed at 3:22 p.m.

Senate reconvened at 4:32 p.m. President Mazurek presiding.

Roll call. All members present except Senators Hammond, and Thayer, excused. Quorum present.

MOTIONS

HB 32 - Senator Waterman moved that HB 32 pass consideration until the next legislative day. Motion carried.

Senator Pinsoneault moved that his vote on HB 62 be changed from yea to nay. Motion carried.

Senator Franklin moved that her vote on Senator Grosfield's amendment be changed from yea to nay. Motion carried.

MESSAGES FROM THE OTHER HOUSE

Senate amendments to the following bills were concurred in:

HB 8, introduced by Bardanouve
HB 44, introduced by Ream
HB 62, introduced by Schye

HB 2 - Free Conference Committee Report No. 1 on House Bill No. 2 was adopted.

HJR 2 - Free Conference Committee Report No. 1 on House Joint Resolution No. 2 was adopted.

Senator Jacobson explained action taken on HB 2 by the Free Conference Committee.

REPORTS OF STANDING COMMITTEES

Free Conference Committee
on HB 2
Report No. 1, July 18, 1992

Mr. Speaker and Mr. President:

We, your Free Conference Committee, met and considered House Bill No. 2 and recommend that House Bill No. 2 (reference copy -- salmon) be amended as follows:

1. Title, line 8.
Strike: "AND"
Following: "11,"
Insert: "AND 14,"

2. Title, line 9.
Strike: "REPEALING" through "1991;"

3. Page BP-1, lines 18 through 27.
Strike: section 2 in its entirety
Insert: "NEW SECTION. Section 2. Agency management responsibility. For fiscal 1993, as a result of the fiscal condition of the state and the significant budget reductions required for all state agencies, the legislature, meeting in the July 1992 special session:

(1) expresses its intent that each state agency is expected to manage its available resources prudently to avoid, to the maximum extent feasible, requiring fiscal 1993 general fund supplemental appropriations requests that are to be stringently analyzed prior to consideration by the 53rd legislature; and

(2) approves flexible management responsibility, within the constraints of this section, subject to the limitations of 17-7-138 and 17-7-139, for each agency in order that the agency may adjust spending authority within and among programs for personal

services, operating expenses, equipment, capital outlay, grants, and transfers."

4. Page BP-4, line 17.
Following: "FTEs"
Insert: "and agencies allocated to a department for administrative purposes only in accordance with 2-15-121"

5. Page BP-4, line 17.
Following: "section"
Insert: "For the purposes of this section and the calculations required in this section, personal services do not include per diem compensation paid to board members, council members, commission members, or legislators."

6. Page BP-4.
Following: line 17
Insert: "NEW SECTION. Section 14. Deposit of available cash in the general fund and the school equalization accounts. (1) The department of administration is directed to ensure that all available cash from the following revenue sources attributable to fiscal 1993 be deposited in the general fund and the school equalization aid account by June 30, 1993:

(a) insurance premium tax ($5.5 million);
(b) permanent coal tax trust interest ($6.6 million);
(c) liquor excise tax ($0.5 million); and
(d) common school permanent trust interest and income ($4.7 million).

(2) The amount shown for each revenue source in subsections (1)(a) through (1)(d) is based on the estimate prepared by the department of administration."
Renumber: subsequent sections

7. Page A-9.
Strike: lines 23 and 24 in their entirety

8. Page A-22, following line 9.
Insert: "g. Implement HB 44 and HB 54 (line item) 50,000" (General Fund, Fiscal 1993)

9. Page A-22, line 12.
Strike: "1,124,159"
Insert: "1,238,282"

10. Page A-22, following line 25.
Insert: "9. Implement HB 24 - Freight Line Tax (Line Item) $35,000" (general fund, fiscal 1993)

11. Page A-23, line 3.
Strike: "801,142"
Insert: "674,476"

12. Page A-27.

Strike: line 25 in its entirety

13. Page A-28.
Strike: lines 6 and 7 in their entirety

14. Page B-2, line 3.
Strike: "814,875" (General Fund, Fiscal 1993)
Insert: "704,875" (General Fund, Fiscal 1993)

15. Page B-2, line 3.
Strike: "1,401,616" (State Special, Fiscal 1993)
Insert: "1,511,616" (State Special, Fiscal 1993)

16. Page B-7.
Following: line 10
Insert: "The appropriation in item 3 in the fiscal year 1993 state special revenue column includes $110,000 to be generated by increased fees in the air quality bureau."

17. Page B-9.
Strike: line 25 in its entirety

18. Page B-10.
Strike: line 1 in its entirety

19. Page B-11, line 1.

Strike: "0"	"0"	"0"	"0"
Insert: "814,731"	"53,684"	"2,187,605"	"3,056,020"

20. Page B-11, line 20.
Strike: "53,861,591" (General Fund 1993)
Insert: "53,745,591" (General Fund 1993)

21. Page B-15, line 24.
Strike: "38%"
Insert: "40.5%"

22. Page C-13, line 5.

Strike: "62,714	352,623"	(General Fund, State Special)
Insert: "415,337"		(State Special)

23. Page C-13, line 11.

Strike: "314,978	453,263"	(General Fund, State Special)
Insert: "127,692	640,549"	(General Fund, State Special)

24. Page C-14, following line 21.
Insert: "In implementing the appropriation in item 1, the department shall apportion $62,714 of state special revenue funding to the various special levies collected, based upon the percentage of support from centralized services for the support of the activity supported by the levy.

In implementing the increase in state special revenue funding in item 2, the department shall use existing balances in

the state special revenue accounts from levies designated to support the activity."

25. Page D-3, line 24.
Strike: "1,559" (State Special)
Insert: "4,559" (State Special)

26. Page D-3, line 25.
Strike: "31,316" (Proprietary)
Insert: "28,316" (Proprietary)

27. Page D-5, line 16.
Strike: "0" (General Fund 1993)
Insert: "26,910" (General Fund 1993)

28. Page E-1, line 18.
Following: "travel,"
Strike: "and"
Following: "new programs"
Strike: ", and nonself-supporting"

29. Page E-1, line 19.
Strike: "athletics programs"

30. Page E-1, line 24.

Strike: "3,226,901	388,021	8,768,032"
Insert: "3,540,725	470,021	9,163,856"

31. Page E-2, line 1.

Strike: "3,020,656	8,378,443"
Insert: "3,199,214	8,557,001"

32. Page E-2, line 5.
Following: "Education"
Strike: "(Line Item)"

33. Page E-2, line 7.
Following: "Biennial"
Strike: "(Line Item)"

34. Page E-2, line 9.
Following: "Transportation"
Strike: "(Line Item)"

35. Page E-2, line 12.
Following: "Lunch"
Strike: "(Line Item)"

36. Page E-2, line 14.
Following: "Talented"
Strike: "(Line Item)"

37. Page E-2, line 16.

Following: "Biennial"
Strike: "(Line Item)"

38. Page E-2, line 18.
Following: "Education"
Strike: "(Line Item)"

39. Page E-2, line 20.
Following: "Aid"
Strike: "(Line Item)"

40. Page E-2, line 22.
Following: "Biennial"
Strike: "(Line Item)"

41. Page E-2, line 24.
Following: "Biennial"
Strike: "(Line Item)"

42. Page E-3, line 1.
Following: "Biennial"
Strike: "(Line Item)"

43. Page E-3, line 3.
Following: "Biennial"
Strike: "(Line Item)"

44. Page E-3, line 5.
Following: "Biennial"
Strike: "(Line Item)"

45. Page E-3, line 7.
Following: "Biennial"
Strike: "(Line Item)"

46. Page E-3, line 9.
Following: "Biennial"
Strike: "(Line Item)"

47. Page E-3, line 11.
Following: "Biennial"
Strike: "(Line Item)"

48. Page E-3, line 13.
Following: "Biennial"
Strike: "(Line Item)"

49. Page E-3, line 16.
Strike: "24,130,000"
Insert: "32,000,000"

50. Page E-4.
Following: line 17

Insert: "The agency may transfer funds among the items listed in 2a through 2q and between items 1 and 2, subject to the limitations of 17-7-139."

51. Page E-12, following line 15.
Insert: "It is the intent of the 52nd legislature that the board of regents examine all revenue sources, including fees from students and other revenue sources not presently recognized within the formula funding of the Montana university system. It is the further intent that the board of regents utilize all possible economies and methods that will preserve access to and not limit enrollment of the units of the Montana university system. More specifically:

(1) before any major downsizing of student populations, there must be an independent evaluation of all student fees not within formula funding to determine if said fees should be placed within the formula. If more fees are appropriately placed within the formula, university units may be much closer to peer averages and there may be no need to reduce the current student population levels. The evaluation must be given to appropriate legislative committees.

(2) evaluation of appropriate student populations for each unit of the Montana university system must be conducted to determine how to best achieve optimum economies of scale for both benefits and costs; and

(3) a review of the western undergraduate exchange (WUE) program must be conducted to determine if the admission of nonresident students under the WUE program should be limited to parity participation to ensure that Montana resident students are not denied admission to their own institutions."

52. Page E-12, line 16,
Following: "IN"
Strike: "EITHER FISCAL 1992 OR"

53. Page OA-7, line 24.
Strike: section 7 in its entirety
Insert: "Section 7. Section 14, Chapter 13, Special Laws of January 1992, is amended to read:

"Section 14. Section 1, Chapter 820, Laws of 1991, is amended to read:

"Section 1. Appropriation. There is appropriated from the general fund ~~$700,000~~ ~~$644,000~~ $500,000 to the department of commerce for the Lewis and Clark national historic trail interpretive center for the biennium ending June 30, 1993. The money, along with the $300,000 of other funds specified in [section 2], is to be used to match federally appropriated funds on an 8-to-1 basis. The department of commerce shall administer the appropriation to add another tourism destination attraction in Montana. The department of commerce shall distribute the money for planning, design, and all phases of construction for a Lewis and Clark national historic trail interpretive center, as authorized in Public Law 100-552.""

Renumber: subsequent section

LFA will amend totals.

In recognition of the fact that enactment of Senate Bill No. 10 will reduce fiscal 1993 general fund costs for the State Medical program by $1.6 million, the Office of the Legislative Fiscal Analyst is instructed to reduce the projected fiscal 1993 general fund supplemental appropriation by $1.5 million.

The legislative fiscal analyst is directed to reduce fiscal 1993 supplementals included in the status sheet by $2.2 million in recognition of the fact that the office of public instruction will reduce fiscal 1993 foundation payments in three counties by $2.2 million to compensate for overpayment in fiscal 1992."

And that this Free Conference Committee report be adopted.

For the House:	For the Senate:
Rep. Peck, Chair	Sen. Jacobson, Chair
Rep. Kadas	Sen. Jergeson

MOTIONS

Senator Jacobson moved that the tables, showing first level expenditure allocations prepared by the Legislative Fiscal Analyst and accompanying House Bill No. 2, as amended by conference committee to be adopted as legislative intent for the appropriations contained in House Bill No. 2. Motion carried unanimously.

Majority Leader Van Valkenburg moved to dispense with the printing of HB 2. Request was granted by the President.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Majority Leader Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. President Pro Tem Lynch in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 2 - Senator Jacobson moved that the Free Conference Committee Report of HB 2 be adopted. Motion carried by the following vote:

Yeas: Bengtson, Bianchi, Blaylock, Bruski, Christiaens, Doherty, Eck, Franklin, Fritz, Halligan, Hockett, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Pipinich, Rea, Stimatz, Svrcek, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Nays: Aklestad, Anderson, Beck, Brown, Burnett, Crippen, Devlin, Gage, Grosfield, Hager, Harding, Harp, Keating, Nathe, Noble, Pinsoneault, Rye,

Swift, Tveit.
Total 19

Absent or not voting: Farrell.
Total 1

Excused: Hammond, Thayer.
Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 2, adopted by the following vote:

Yeas: Bengtson, Bianchi, Blaylock, Bruski, Christiaens, Doherty, Eck, Farrell, Franklin, Fritz, Halligan, Hockett, Jacobson, Jergeson, Kennedy, Koehnke, Lynch, Noble, Pipinich, Rea, Stimatz, Svrcek, Thayer, Towe, Van Valkenburg, Vaughn, Waterman, Weeding, Williams, Yellowtail, Mr. President.
Total 31

Nays: Aklestad, Anderson, Beck, Brown, Burnett, Crippen, Devlin, Gage, Grosfield, Hager, Hammond, Harding, Harp, Keating, Nathe, Pinsoneault, Rye, Swift, Tveit.
Total 19

Paired: Farrell, Thayer, Yea; Hammond, Keating, Nay.

Absent or not voting: None
Total 0

Excused: None
Total 0

SPECIAL ORDERS OF THE DAY

Majority Leader Van Valkenburg moved that the President be authorized to appoint a committee of three to notify His Excellency, the Governor, that the Senate of the Second Special Session of the 52nd Legislature is ready to adjourn sine die. Motion carried. The President appointed the following committee:

Senator Bengtson, Chair
Senator Stimatz
Senator Anderson

Majority Leader Van Valkenburg moved that the President be authorized to appoint a committee of three to notify the House, that the Senate of the Second Special Session of the 52nd Legislature is ready to adjourn sine die. Motion carried. The President appointed the following committee:

Senator Svrcek, Chair
Senator Vaughn
Senator Noble

Majority Leader Van Valkenburg moved that the President be authorized to appoint a committee of three to notify the Chief Justice and Associate Justices of the Montana Supreme Court that the Senate of the Second Special Session of the 52nd Legislature is ready to adjourn sine die. Motion carried. The President appointed the following committee:

Senator Yellowtail, Chair
Senator Halligan
Senator Brown

Majority Leader Van Valkenburg moved that the Senate stand at ease subject to the call of the Chair. Motion carried.

Committees were dismissed to perform their appointed duties.

REPORTS OF SELECT COMMITTEES

The committee that had notified the Governor was admitted and reported that the Governor wished the legislators a safe journey home. Thanked them for their work on a hard and difficult task, and hoped that Montanans won't be too disappointed in their work. The committee was thanked and dismissed.

Sergeant-At-Arms Carlson admitted the committee that notified the Supreme Court that the Senate was ready to adjourn, and they reported that all Judges had taken Saturday off and will have to read it in the paper. They were thanked and dismissed by President Mazurek.

The committee that had notified the House of Representatives reported that the members of the House had greeted them cordially, bid all of us a safe journey home, and were thanked and dismissed by President Mazurek.

Sergeant-At-Arms Carlson announced that a committee from the House of Representatives awaited entrance. Representatives Bradley, O'Keefe, Hoffman, and Lee bid us thanks for all our cooperation. The President thanked them for their good work and bade them farewell.

Majority Leader Van Valkenburg moved that the Senate publish the journal of the proceedings of the Second Special Session of the 52nd Legislature through this legislative day, and that the President be authorized to approve the payment for publishing costs. Motion carried.

Majority Leader Van Valkenburg moved that Joint Rule 40-160 be interpreted so that any bill passed by both houses of the legislature by the last legislative day may be enrolled, clerically corrected by the presiding officers, signed by the presiding officers, and delivered to the Governor not later than five business days after its return from enrolling. All journal entries authorized under this rule as announcements and/or

communications will be entered in the journal for this legislative day. Motion carried.

Majority Leader Van Valkenburg moved the Senate adjourn sine die.

Senate adjourned sine die at 5:40 p.m.

JOSEPH P. MAZUREK
President of the Senate

DAVE HUNTER
Secretary of the Senate

ADDENDUM
SENATE JOURNAL
JULY 1992 SPECIAL SESSION

August 6, 1992

The Honorable Joseph P. Mazurek
President
Montana State Senate
Capitol Station
Helena, Montana 59620

Dear President Mazurek:

Please be informed that I have signed Senate Bill 10 on August 6, 1992.

Sincerely,

STAN STEPHENS
Governor

HOUSE JOURNAL

OF THE

FIFTY-SECOND LEGISLATURE

OF THE

STATE OF MONTANA

In Special Session

July 6 through July 18, 1992

Hal Harper
Speaker of the House

Joyce Andrus
Chief Clerk of the House

Kara Menahan
Journal Clerk

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FIRST LEGISLATIVE DAY

Helena, Montana
July 6, 1992

House Chambers
State Capitol

Pursuant to law, and the following call of the Governor, Speaker Harper called the second special session of the House of Representatives of the 52nd Legislature to order at 10 a.m.

COMMUNICATIONS AND PETITIONS

TO: Members of the Montana State Senate
Members of the Montana House of Representatives
Members of the Montana Supreme Court
Montana Elected Officials

GOVERNOR'S CALL TO CONVENE THE SECOND SPECIAL SESSION OF THE FIFTY-SECOND MONTANA LEGISLATURE

By the power vested in me in Section 6, Article V and Section 11, Article VI of the Montana Constitution and such other applicable laws, I hereby call the Montana Legislature to convene into special session, commencing at 10 a.m., Monday, the 6th day of July 1992.

I have determined that it is in the public interest that the legislature convene into special session. I hereby direct the Second Special Session of the Fifty-Second Montana Legislature to consider action on the following:

1. Revise House Joint Resolution 1, passed and approved by the First Special Session of the Fifty-Second Montana Legislature, January 1992, to update revenue estimates for the state general fund and school equalization account.

2. Amend House Bill 2 (Chapter 13, Laws of Montana, January 1992 Montana Special Session), and consider reductions in other appropriations for the purpose of balancing the state budget for the 1993 biennium and reducing the state's overall financial obligations.

3. Consider legislation necessary to:
   (a) implement reductions in appropriations;
   (b) balance the state budget;
   (c) maintain sufficient or adequate cash to meet appropriated expenditures.

4. Consider transfer of various funds and the diversion of revenues from other funds to the general fund and/or school equalization account for the purpose of balancing the budget for the 1993 biennium.

5. Consider legislation to appropriate funds for expenditures directly related to the special session.

DATED this 19th day of June, 1992.

STAN STEPHENS
Governor

To: Members of the Montana State Senate
Members of the Montana House of Representatives
Members of the Montana Supreme Court
Montana Elected Officials

GOVERNOR'S CALL TO EXPAND THE SECOND SPECIAL SESSION OF THE FIFTY-SECOND MONTANA LEGISLATURE

On June 19, 1992, I issued a call to convene the Second Special Session of the Fifty-Second Montana Legislature.

By the power vested in me in Section 6, Article V and Section 11, Article VI of the Montana Constitution and such other applicable laws, and having determined that it is in the public interest to do so, in addition to the items identified in the June 19, 1992 Call, I hereby request the Montana Legislature to consider action on the following items:

1. Confirming Ted O. Lympus, District Judge for the Eleventh Judicial District Court for the state of Montana. District Judge Lympus was appointed to the position of district judge on April 3, 1992.

2. Requesting the legislature, by joint resolution, to continue a state of disaster designation for the state of Montana as a result of the continuing drought conditions affecting the state, pursuant to section 10-3-303, MCA.

3. Any measure to refer to the people for a vote in the November 1992 general election, any and all matters relating to a sales tax, including, but not limited to any legislation and/or constitutional amendment(s).

4. Any measure pertaining to revising and/or reforming the tax structure(s) and/or tax system(s) for the state of Montana.

DATED this 1st day of July, 1992.

STAN STEPHENS
Governor

Posting of the Colors was presented by Captain Collins and staff from the Montana National Guard. Pledge of Allegiance to the Flag.

Invocation by Reverend Steve Brehe of St. Peter's Episcopal Cathedral, Helena.

Roll call. All members present except J. Johnson, Russell, Steppler, Whalen, excused. Quorum present.

Representative Driscoll moved that the officers, organization, and Joint Rules of the Fifty-Second Legislature adopted by the House of Representatives in regular session be the officers, organization, and Joint Rules of the House of Representatives for the Second Special Session of the Fifty-Second Legislature with the following exceptions:

Joint Rules 40-40(1), 40-50, 40-100, 40-150(1), 40-160(4) and (5), and 40-200 do not apply.

The following provisions in place of Joint Rules 40-160(4) and (5) are adopted:

"(4) A bill that has passed both houses of the Legislature by the last day of the special session may be:
(a) enrolled;
(b) clerically corrected by the presiding officers, if necessary;
(c) signed by the presiding officers; and
(d) delivered to the Governor not later than five working days after the last legislative day.
(5) All journal entries authorized under this rule must be entered on the journal for the last day of the special session."

Motion carried.

Representative Driscoll moved that the officers, organization, and House Rules of the Fifty-Second Legislature adopted by the House of Representatives in regular session be the officers, organization, and House Rules of the House of Representatives for the Second Special Session of the Fifty-Second Legislature with the following exceptions: House Rules H40-10, H40-60, H40-140(3), and H40-190 do not apply. Motion carried.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: We, the committee on Legislative Administration, recommend that the following attaches be hired by the House of Representatives for the Second Special Session of the 52nd Legislature.

Chief Clerk - Joyce Andrus
Assistant Chief Clerk - B. J. Hoven
Secretary to Chief Clerk - Robyn Driscoll
Journal Clerk - Kara Menahan
Bills Clerk - Karma Alfredson
Status Input Clerk - Barb Griffith
Amendments Coordinator - Bob Torres
Bills Coordinator - Mitch Crilly
Committee Secretaries - Sylvia Kinsey, Theda Rossberg, Jo Lahti, Billie Jean Hill, Pat Bennett, Jill Royhans
Word Processing Supervisor - Colleen Hansen
Word Processor - Eleanor Boviatsis
Sergeant-at-Arms - Margaret Regan
Assistant Sergeant-at-Arms - Kim Schleicher
Assistant Sergeant-at-Arms/Bills Distribution - Brian Garrity
Security Guard - Harry Draper
Security Guard - Dennis McAlpin
Doorman - Jack McCarthy
Secretary to Speaker - Kay Turman
Legislative Assistant to Speaker - Paul Tuss
Permanent Page to Speaker - Kevin Phillips
Legislative Assistant to Majority - P. Russell Brown

Secretary to Majority Leader - Jane Murphy
Secretary to Minority Leader - Rosana Skelton
Legislative Assistant to Budd Gould - Sheri Thick
Legislative Assistants to Bill Boharski - Margaret Boharski, Ray Frye

William "Red" Menahan, Chairman

Representative Driscoll moved the Speaker be authorized to appoint a committee of four to notify the Senate that the House is now organized and ready for business. Motion carried.

Speaker Harper appointed Representative Dorothy Cody, Chair; Representative Bob Thoft, Berv Kimberley and Chuck Swysgood, and discharged the committee from the chamber.

REPORTS OF SELECT COMMITTEES

A committee from the Senate composed of Senators Halligan, Franklin, and Rye were admitted and informed the House that the Senate was organized and ready for business.

The committee appointed to notify the Senate that the House was ready for business reported it had done so. The committee was thanked and discharged.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 1, introduced by Bardanouve, referred to Committee on Appropriations
HB 2, introduced by Thoft, referred to Committee on Appropriations
HB 3, introduced by Harper, referred to Committee on Appropriations
HB 4, introduced by Elliott, referred to Committee on Taxation
HB 5, introduced by Raney, referred to Committee on Appropriations
HB 6, introduced by Thoft, referred to Committee on Appropriations
HB 7, introduced by Thoft, referred to Committee on Appropriations
HB 8, introduced by Bardanouve, referred to Committee on Appropriations
HB 9, introduced by Bardanouve, referred to Committee on State Administration
HB 10, introduced by Bardanouve, referred to Committee on Taxation
HB 11, introduced by Bardanouve, referred to Committee on Taxation
HB 12, introduced by Bardanouve, referred to Committee on Taxation
HB 13, introduced by Cobb, referred to Committee on Taxation
HB 14, introduced by Cobb, referred to Committee on Appropriations
HB 15, introduced by Cohen, referred to Committee on Taxation

ANNOUNCEMENTS

Speaker Harper introduced the pages for the week:

Sara Winterburn - Helena
David Robbin - Great Falls
Jon Meredith - Helena
Collette Morgan - Helena
Frances Shine - Trout Creek
Molly Christensen - Helena

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8 a.m., Tuesday, July 7, 1992. Motion carried.

House adjourned at 10:25 a.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

Secretary to Minority Leader - Re[illegible]
Legislative Assistant to Budd Co[illegible]
Legislative Assistants to Bill Be[illegible]

Representative [illegible] committee of [illegible]

President, this is a bill [illegible] House's [illegible] floor [illegible] on caucus.

Speaker Harper appointed Representative [illegible] Chair; Representative Bob Theft, Rep. Kimberly [illegible] discharged the committee from the chamber.

REPORTS OF SELECT COMMITTEES

A committee from the Senate composed of Senators Religati[illegible] Frye were admitted and informed the House that the Senate was [illegible] and ready for business.

The committee appointed to notify the Senate that the House was ready for business reported it had done so. The committee was [illegible] discharged.

FIRST READING AND CONSIDERATION OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and [illegible] committee:

HB 1, introduced by Bardanouve, referred to Committee on Appropriations;
HB 2, introduced by Theoft, referred to Committee on Appropriations;
HB 3, introduced by Harper, referred to Committee on Appropriations;
HB 4, introduced by Elliott, referred to Committee on Taxation;
HB 5, introduced by Raney, referred to Committee on Appropriations;
HB 6, introduced by Theoft, referred to Committee on Appropriations;
HB 7, introduced by Theoft, referred to Committee on Appropriations;
HB 8, introduced by Bardanouve, referred to Committee on Appropriations;
HB 9, introduced by Bardanouve, referred to Committee on State Administration;
HB 10, introduced by Be[illegible] Taxation;
HB 11, introduced by Be[illegible]
HB 12, introduced by Bardanou[illegible]
HB 13, introduced by Cobb, [illegible]
HB 14, introduced by Cobb, [illegible]
HB 15, introduced by Cohen, [illegible]

SECOND LEGISLATIVE DAY

Helena, Montana
July 7, 1992

House Chambers
State Capitol

House convened at 8 a.m. Mr. Speaker in the Chair. Invocation by Reverend George Harper. Pledge of Allegiance to the Flag.

Roll call. All members present except Gervais, J. Johnson, Russell, Stang, Steppler, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Bardanouve, Chairman): 7/6/92
HB 1, introduced bill, be amended as follows:

1. Page 1, line 14.
Strike: "$337,444"
Insert: "$254,166"

2. Page 1, line 15.
Strike: "$165,451"
Insert: "$125,394"

3. Page 1, line 16.
Strike: "$161,259"
Insert: "$136,326"

And, as amended, do pass. Report adopted.

BILLS (Menahan, Chairman): 7/7/92
Correctly printed: HB 1.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 16, introduced by Thoft, referred to Committee on Appropriations

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8 a.m., Wednesday, July 8, 1992. Motion carried.

House adjourned at 8:15 a.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

THIRD LEGISLATIVE DAY

Helena, Montana
July 8, 1992

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Mary Lou Peterson. Pledge of Allegiance to the Flag.

Roll call. All members present except Forrester, J. Johnson, Russell, Stang, Steppler, excused. Quorum present.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 17, introduced by Galvin, referred to Committee on Taxation
HB 18, introduced by Raney, referred to Committee on Judiciary
HB 19, introduced by Ellison, referred to Committee on Taxation
HB 20, introduced by Raney, referred to Committee on Appropriations
HB 21, introduced by Cobb, referred to Committee on Education and Cultural Resources
HB 22, introduced by Hoffman, referred to Committee on Education and Cultural Resources
HB 23, introduced by Daily, referred to Committee on Taxation
HB 24, introduced by Cohen, referred to Committee on Taxation
HB 25, introduced by Cody, referred to Committee on Appropriations
HB 26, introduced by Cody, referred to Committee on Taxation
HB 27, introduced by Daily, referred to Committee on Taxation
HB 28, introduced by Nelson, referred to Committee on Judiciary
HB 29, introduced by Mercer, referred to Committee on Taxation
HB 30, introduced by Kadas, referred to Committee on Appropriations
HJR 1, introduced by Harper, referred to Committee on Natural Resources

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8:00 a.m., Thursday, July 9, 1992. Motion carried.

House adjourned at 8:11 a.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FOURTH LEGISLATIVE DAY

Helena, Montana
July 9, 1992

House Chambers
State Capitol

House convened at 8 a.m. Mr. Speaker in the Chair. Invocation by Representative Berv Kimberley. Pledge of Allegiance to the Flag.

Roll call. All members present except Forrester, Gervais, J. Johnson, Russell, Simpkins, and Stang, excused. Quorum present.

MESSAGES FROM THE SENATE

July 8, 1992

The Honorable Hal Harper
Speaker of the House
State Capitol
Helena, MT 59620

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the following Senate Bill was this day, July 8, 1992, read three several times, and passed, title and history agreed to, and is herewith transmitted to the House for concurrence:

Senate Bill No. 1, introduced by Senator Jacobson

Respectfully,

DAVID L. HUNTER
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 30, introduced by Kadas, referred to Committee on Appropriations
HB 31, introduced by Raney, referred to Committee on Appropriations
HB 32, introduced by Cody, referred to Committee on Appropriations

The following Senate bill was introduced, read first time, and referred to committee:

SB 1, introduced by Jacobson, referred to Committee on Education and Cultural Resources

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Dave Brown in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 1 - Representative Bardanouve moved HB 1 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Squires, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Bachini, Benedict, Bergsagel, Boharski, Clark, Cohen, R. DeBruycker, Ellis, Feland, M. Hanson, Kasten, Keller, Peck, Peterson, Phillips, Spring, Swysgood.
Total 17

Excused: Forrester, Gervais, J. Johnson, Russell, Simpkins, Stang.
Total 6

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise, report progress and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Dave Brown moved the adoption of the committee report. Report adopted. (75-18)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 1 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Squires, Steppler, Stickney, Strizich, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Bachini, Benedict, Boharski, Clark, R. DeBruycker, Ellis, Feland, M. Hanson, Kasten, Keller, T. Nelson, Peck, Peterson, Phillips, Spring, Swysgood.
Total 16

Excused: Forrester, Gervais, J. Johnson, Russell, Simpkins, Stang.
Total 6

Absent or not voting: Bergsagel.
Total 1

MOTIONS

Representative Driscoll moved House Bill 14 be taken from the Committee on Appropriations and rereferred to the Committee on Education and Cultural Resources. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 4:30 p.m. Motion carried.

House recessed at 8:21 a.m.

House reconvened at 4:30 p.m. Speaker Harper in the Chair.

COMMUNICATIONS AND PETITIONS

July 9, 1992

The Honorable Stan Stephens
Governor
State of Montana
Helena, Montana 59620

The Honorable Joe Mazurek
President of the Senate
Montana Senate
Helena, Montana 59620

The Honorable Hal Harper
Speaker of the House
Montana House of Representatives
Helena, Montana 59620

Dear Governor Stephens, President Mazurek and Speaker Harper:

A majority of legislators have petitioned for a special session of the Legislature to consider legislation to create a moratorium until October 1, 1993 on the consideration of permits authorizing the importing or burning of hazardous or medical waste.

The petition calls for the special session to run concurrently with the special session beginning July 6, 1992, called by the Governor.

In accordance with section 5-3-101, MCA, the petition has been filed, the signatures on the petition have been checked and the petition has been certified as meeting the requirements to call a special session.

A certified copy of the petition is attached. Please feel free to contact me if you have any questions about this process.

Sincerely,

MIKE COONEY Secretary of State

July 9, 1992

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, MIKE COONEY, Secretary of State of the State of Montana, do hereby certify that the attached petition constitutes the signatures of 76 of the 150 members of the 52nd Legislature of the State of Montana, meeting the requirements of Section 5-3-101, Montana Code Annotated, and thus calling into Special Session the 52nd Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on the 9th day of July, 1992, and a copy hereof forwarded to the Honorable Stan Stephens, Governor of the State of Montana; the Honorable Joe Mazurek, President of the Montana Senate, and the Honorable Hal Harper, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Montana, at Helena, the Capital, this 9th day of July, 1992.

MIKE COONEY
Secretary of State

PETITION OF THE FIFTY-SECOND LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, there is consideration being given to the burning of out-of-state hazardous and medical waste; and

WHEREAS, the impact of the burning of waste on the environment and the health considerations for all Montanans has not been fully considered; and

WHEREAS, full consideration must be given to all impacts in order to ensure the health and safety of all Montanans; and

WHEREAS, Article V, section 6, of The Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Fifty-Second Legislature, pursuant to Article V, section 6, of the Montana Constitution and section 5-3-101, MCA, hereby convene the Fifty-Second Legislature into special session in Helena at the Capitol, to run concurrently with the special session beginning July 6, 1992, called by the Governor.

The special session hereby convened shall consider legislation to create a moratorium until October 1, 1993 on the consideration of permits authorizing the importing or burning of hazardous or medical waste.

Members of the Fifty-Second Legislature:

Hazardous Waste:

Members of the 52nd Legislature:

Madison, O'Keefe, Southworth, Squires, Raney, Davis, Measure, Cohen, Ellison, Kilpatrick, Foster, Galvin, McCulloch, Toole, Wyatt, Brooke, Bradley, Strizich, Becker, Dolezal, Scott, Kadas, Wanzenried, Stang, Spring, Connelly, Barnhart, Kennedy, Peck, Rea, Pavlovich, Jergeson, Whalen, Doherty, Schye, Weeding, Kimberley, Halligan, Beck, Eck, Ream, Bianchi, Cocchiarella, Yellowtail, Menahan, Bengtson, Stickney, Blaylock, Crippen, Christiaens, J. Brown, Pinsoneault, Harrington, Hockett, Elliott, Vaughn, Nisbet, Franklin, McCaffree, Bruski-Maus, Bachini, Lynch, Hansen, Jacobson, Cody, Fritz, Quilici, Towe, Bardanouve, Van Valkenburg, Gervais, Steppler, Harper, Darko, Dowell, Stimatz.

July 9, 1992

The Honorable Stan Stephens
Governor
State of Montana
Helena, Montana 59620

The Honorable Joe Mazurek
President of the Senate
Montana Senate
Helena, Montana 59620

The Honorable Hal Harper
Speaker of the House
Montana House of Representatives
Helena, Montana 59620

Dear Governor Stephens, President Mazurek and Speaker Harper:

A majority of legislators have petitioned for a special session of the Legislature to consider legislation to extend the permissible time period for agency liquor store agreements and to provide for the renewal of existing agreements.

The petition calls for the special session to run concurrently with the special session beginning July 6, 1992, called by the Governor.

In accordance with section 5-3-101, MCA, the petition has been filed, the signatures on the petition have been checked and the petition has been certified as meeting the requirements to call a special session.

A certified copy of the petition is attached. Please feel free to contact me if you have any questions about this process.

Sincerely,

MIKE COONEY Secretary of State

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, MIKE COONEY, Secretary of State of the State of Montana, do hereby certify that the attached petition constitutes the signatures of 76 of the 150 members of the 52nd Legislature of the State of Montana, meeting the requirements of Section 5-3-101, Montana Code Annotated, and thus calling into Special Session the 52nd Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on the 9th day of July, 1992, and a copy hereof forwarded to the Honorable Stan Stephens, Governor of the State of Montana; the Honorable Joe Mazurek, President of the Montana Senate, and the Honorable Hal Harper, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Montana, at Helena, the Capital, this 9th day of July, 1992.

MIKE COONEY
Secretary of State

PETITION OF THE FIFTY-SECOND LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, the administration is proposing the privatization of state liquor stores; and

WHEREAS, the current special session of the legislature is again being confronted with this issue after rejecting the proposal in regular and special sessions; and

WHEREAS, the department has issued request for bids for agency agreements that contain provisions that have not been reviewed by the legislature due to the expiration of current agency agreements; and

WHEREAS, Article V, section 6, of The Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Fifty-Second Legislature, pursuant to Article V, section 6, of the Montana Constitution and section 5-3-101, MCA, hereby convene the Fifty-Second Legislature into special session in Helena at the Capitol, to run concurrently with the special session beginning July 6, 1992, called by the Governor.

The special session hereby convened shall consider legislation to extend the permissible time period for agency liquor store agreements and to provide for the renewal of existing agreements.

Members of the Fifty-Second Legislature:

Agency Liquor Store Agreements:

Members of the 52nd Legislature:

Harrington, D. Brown, Elliott, Schye, Galvin, Pavlovich, McCulloch, Larson, Strizich, Harper, McCarthy, Cohen, Measure, Beck, Dolezal, Connelly, Van Valkenburg, Cocchiarella, Whalen, DeBruycker, Nisbet, Christiaens, Raney, Kimberley, Towe, Kilpatrick, McCaffree, Kadas, Driscoll, Bardanouve, Jergeson, Darko, Eck, Squires, Ream, Dowell, Mazurek, J. Brown, Jacobson, Cody, Menahan, Hansen, Daily, Gervais, Scott, Brooke, O'Keefe, Becker, Toole, Barnhart, Lynch, Bachini, Pipinich, Rea, Cromley, Doherty, Madison, Stimatz, Halligan, Bengtson, Southworth, Blaylock, Bianchi, Weeding, Kennedy, Quilici, Hockett, Stickney, Vaughn, Wanzenried, Bruski-Maus, Yellowtail, L. Nelson, Waterman, Peck, Williams.

MIKE COONEY
Secretary of State

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 7/9/92
Correctly engrossed: HB 1.

TAXATION (Harrington, Chairman): 7/9/92
HB 19, do not pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 7/9/92
SB 1, third reading copy, be concurred in. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 33, introduced by Scott, referred to Committee on Taxation
HJR 2, introduced by Gilbert, referred to Committee on Taxation

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Dave Brown in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 1 - Representative Kadas moved SB 1 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Bergsagel, R. DeBruycker, Simpkins.
Total 3

Voted Absentee: Bradley, Forrester, Gervais, M. Hanson, J. Johnson, S. Rice, Stang, Ayes; Simpkins, No.

Excused: Russell.
Total 1

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Brown moved the adoption of the committee report. Report adopted. (90-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 1 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, Clark, R. DeBruycker, Simpkins.
Total 4

Voted Absentee: Forrester, Gervais, M. Hanson, J. Johnson, S. Rice, Stang, Ayes; Simpkins, No.

Excused: Russell.
Total 1

Absent or not voting: Grady.
Total 1

MOTIONS

Representative Driscoll moved the rules be suspended to allow the consideration of an adverse committee report on order of business number 2 this date. Motion carried.

REPORTS OF STANDING COMMITTEES

HB 19 - Representative Harrington moved the adverse committee report on HB 19 be adopted. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Feland,

Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Ellison, Fagg, J. Rice, Thoft.
Total 4

Voted Absentee: Forrester, Gervais, M. Hanson, J. Johnson, S. Rice, Simpkins, Stang, Ayes.

Excused: Russell.
Total 1

Absent or not voting: None.
Total 0

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 34, introduced by S Rice, referred to Committee on Taxation
HB 35, introduced by Raney, referred to Committee on Natural Resources
HB 36, introduced by Cobb, referred to Committee on Taxation

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8 a.m., Friday, July 10. Motion carried.

House adjourned at 5:00 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

FIFTH LEGISLATIVE DAY

Helena, Montana
July 10, 1992

House Chambers
State Capitol

House convened at 8 a.m. Mr. Speaker in the Chair. Invocation by Representative Stickney. Pledge of Allegiance to the Flag.

Roll call. All members present except Cromley, Forrester, Gervais, M. Hanson, J. Johnson, McCarthy, Phillips, S. Rice, Russell, Simpkins, Stang, Thomas, Toole, excused. Quorum present.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 10 a.m., Saturday, July 11, 1992. Motion carried.

House adjourned at 8:15 a.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

Stritzich, Swyngood, Thomas, T
Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Ellison, [illegible]
Total 4

Voted Absentee: Forrester, Gerwig, M. Hughes, [illegible]
Simpkins, Strang, Ayes.

Excused: Russell
Telegraph Hall Taylor, Speaker

Absent or not voting: None.
Total 0

THIRD READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to Committee:

HB 34, introduced by S. Ellison, referred to Committee on Taxation
HB 35, introduced by Bailey, referred to Committee on Natural Resources
HB 36, introduced by Cobb, referred to Committee on Taxation

ANNOUNCEMENTS

Committee meetings were announced by committees.

Representative Driscoll moved the House adjourn until 8 a.m., Saturday, 10. Motion carried.

House adjourned at 5:00 p.m.

Joyce Andrus, Chief Clerk

SIXTH LEGISLATIVE DAY

Helena, Montana — House Chambers
July 11, 1992 — State Capitol

House convened at 10 a.m. Mr. Speaker in the Chair. Invocation by Representative J. Rice. Pledge of Allegiance to the Flag.

Roll call. All members present except Connelly, Ellison, M. Hanson, J. Johnson, Ream, S. Rice, Russell, Simpkins, Thomas, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Bardanouve, Chairman): 7/10/92
HB 2, introduced bill, be amended as follows:

(Refer to Introduced Bill)
Strike everything after the enacting clause and insert:

"Section 1. Section 1, Chapter 13, Special Laws of January 1992, is amended to read:

"Section 1. Section 1, Chapter 815, Laws of 1991, is amended to read:

"Section 1. Short title. [This act] may be cited as "The General Appropriations Act of 1991".

Section 2. Limit on personal services transfer -- exceptions. (1) Funds appropriated for personal services or indicated in legislative intent as having been appropriated for personal services may not be expended under any other category unless the approving authority approves a specific agency request for the 1993 biennium only, which request is justified either on the basis of documented cost savings or as specified in subsection (2). The approving authority shall submit its analysis of the cost savings to the legislative auditor, with wages and fringe benefits separately documented from other cost savings. The legislative audit committee shall review the approving authority's analysis and report to the 53rd legislature on the savings realized.

(2) If an agency is unable to recruit and hire professional positions funded in the appropriation, funds appropriated for personal services may be used to fund an agreement or contract to provide services that are identical to those services performed by an authorized position. The amount used for the agreement or contract may not be more than the amount authorized for the position less any personal services reduction. The agency director shall certify to the approving authority, as defined in 17-7-102, or his designated representative that the agency is unable to fill the position and that the services performed by that position are necessary.

Section 3. First level expenditures. The agency and program appropriation tables in the legislative fiscal analyst narrative accompanying this bill, showing first level expenditures and funding for the 1993 biennium, are adopted as legislative intent.

Section 4. Reorganization. If any agency reorganizes during the 1993 biennium, the agency shall present for fiscal 1992 and fiscal 1993 by program:

(1) a restatement of the FTE records and financial records consistent with the reorganized structure; and

(2) a comparison of the original operating budget to the revised operating budget that reflects the reorganization. Reorganization means transfer of functions or five or more FTE from one program to another.

Section 5. Natural resources damage assessment repayment. In the natural resource damage assessment and litigation against the atlantic richfield company, the state shall seek repayment of any funds appropriated in [this act] that are expended by a state agency for the purpose of conducting the assessment and/or litigation. This repayment must include interest on the funds at a rate commensurate with rates earned in the short-term investment pool.

Section 6. Budget reduction. The line item for "budget reduction" reduces the agency's total general fund appropriation. The agency, with the approval of the approving authority as defined in 17-7-102, shall determine the proportional share of the amount to be applied to each program and reduce that program's appropriation accordingly.

Section 7. Vacant positions. If a budgeted position remains unfilled for more than 6 months, the position may be filled only after approval by the approving authority. The approving authority shall document in writing the justification and approval for filling each position that was vacant for more than 6 months and shall provide the documentation to the office of budget and program planning and to the office of the legislative fiscal analyst if requested. If a budgeted position remains unfilled for more than 1 year, the approving authority may not include the position in the budget request base for the executive budget request that will be presented to the 53rd legislature. The budget request presented to the 53rd legislature must include an analysis of vacant positions subject to the approval requirement in this section and must specifically identify those positions that remained unfilled for more than 1 year and are included in the budget request as modifications.

Section 8. Severability. If any section, subsection, sentence, clause, or phrase of [this act] is for any reason held unconstitutional, such decision does not affect the validity of the remaining portions of [this act].

Section 9. Audit cost. Amounts appropriated for audits may be transferred between fiscal years. Agencies shall reserve enough cash in each fund to pay for audit costs and shall, to the maximum extent allowable under federal regulations, charge audit costs to federal funds. The budget director shall increase the agency line item appropriations for legislative audits by amounts that total the amount appropriated for the 1993 biennium from the legislative auditor's special revenue fund for the purpose of state pay plan funding. The budget director shall allocate the amounts on the same basis that current line items for legislative audits in agency budgets are allocated in [this act].

Section 10. Technical allocation costs. For agencies with internal cost allocation plans funded with proprietary revenues, the budget director shall adjust agency appropriations by amounts necessary to increase the budgets for indirect costs attributable to pay increases in an agency's indirect cost pool appropriated in the state pay plan bill. Funding for this appropriation consists of general fund money and other funds in an amount proportionate to the funding allocated for budgeting indirect cost assessments in [this act].

Section 11. Account analysis. All agencies shall reexamine their proprietary accounts and designated subfunds and report to the legislative auditor's office after fiscal year 1992 the specific plans for spending the

accounts, the monthly or daily account balances, and whether the accounts have adequate amounts of revenue and fund balances and the plans to reduce or add monies to the accounts.

Section 12. Totals not appropriations. The totals shown in [this act] are for informational purposes only and are not appropriations.

Section 13. Fund balance transfers and revenue estimate increases. The legislative auditor shall transfer to the general fund from state agency audit fees $22,159 in fiscal 1992. The legislative auditor shall transfer to the general fund from special audit reimbursements $10,200 in fiscal 1993. The legislative auditor shall work with agencies to ensure that $33,140 of bond assessment fees is deposited in the general fund in fiscal 1993.

The law library program in the judiciary is directed to increase fees for automated legal data base and telefax services. The program must deposit to the general fund $11,000 in fiscal 1992 and $26,000 in fiscal 1993 from such fee revenue increases.

The governor's office shall transfer to the general fund from the ARCO Clark Fork state special revenue account $28,000 in fiscal 1992. The governor is directed to sell the governor's airplane for an amount sufficient to deposit approximately $575,000 in the general fund in fiscal 1992 after selling costs.

The secretary of state is directed to raise annual corporation report fees by an amount sufficient to deposit an additional $150,000 in the general fund beginning in fiscal 1993.

The department of justice shall transfer to the general fund from the driver improvement fees state special revenue account $2,700 in fiscal 1993. The department of justice shall transfer to the general fund from the criminal lab state special revenue account $21,700 in fiscal 1993.

The department of administration shall transfer to the general fund from photocopy pool proprietary funds $46,000 each year of the biennium. The department of administration shall transfer to the general fund from computer services and telecommunications proprietary funds $100,000 in fiscal 1992.

The public employees' retirement division shall transfer to the general fund from social security contributions and interest earnings $120,547 in fiscal 1992 and $24,000 in fiscal 1993.

The department of military affairs shall transfer to the general fund from federal national guard funds $183,431 over the biennium. The department of military affairs shall transfer to the general fund from federal contract reimbursements $40,000 over the biennium.

The department of social and rehabilitation services shall transfer to the general fund from the child support enforcement account all cash balance remaining at the end of fiscal 1992. Any cash balance in the account in excess of $500,000 at the end of fiscal 1993 must be deposited in the general fund. Upon final determination of all general fund money in the social and rehabilitation services department's unreconciled special revenue fund balance (in the approximate total amount of $2,530,153), any funds remaining in the special revenue fund to which the state is entitled must be deposited in the general fund.

There must be retained in the local impact account, established under 90-6-202, for the purpose of reverting to the state special revenue account for school equalization aid to public schools an amount not less than $500,000 in fiscal 1992 and $1,635,363 in fiscal 1993.

The department of corrections and human services shall transfer to the general fund from additional estimated insurance, medicaid, and medicare reimbursements $999,162 in fiscal 1992 and $792,870 in fiscal 1993. The department of corrections and human services shall transfer to the general fund from the additional fiscal 1990 cost settlement $1,050,012 in fiscal 1992. The department of corrections and human services shall transfer to the general fund $513,454 from estimated charges for court-ordered evaluations in fiscal 1993.

The department of natural resources and conservation shall transfer to the general fund from the water adjudication special revenue account $154,000 in fiscal 1993.

Section 14. Montana university system vacancy. The Montana university system, with the exception of the office of the commissioner of higher education, is excluded from the vacant position provisions in [section 7].

Section 15. Reduction in personal services -- exemption. Current funding level budget requests for the 1995 biennium submitted by each executive and legislative branch agency and the commissioner of higher education under Title 17, chapter 7, part 1, must include a reduction in personal services equivalent to 5% of the amount specified in each agency's approved operating plan submitted under 17-7-138 for fiscal 1993, which plan reflects the appropriation changes made by the legislature during the January 1992 special session. Authorized employee positions must be reduced to equal the percentage reduction in personal services. The job description, grade, and budget for each position reduced must be shown in each agency's fiscal 1994 and fiscal 1995 budget request package provided to the office of budget and program planning. Agencies with 20 or fewer FTEs are exempt from this section.

Section ~~15~~ 16. Effective date. [This act] is effective on passage and approval.

Section ~~16~~ 17. Appropriations. The following money is appropriated for the respective fiscal years:

Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
					A. GENERAL GOVERNMENT AND HIGHWAYS						
LEGISLATIVE AUDITOR (1101)											
1. Audit and Examination Program (01)											
1,075,633	1,108,855				2,184,488	~~1,146,687~~ 1,107,259	1,104,805				~~2,251,492~~ 2,212,064
a. Additional Audit Staff (Line Item)											
	117,631				117,631		117,376				117,376
b. Legislative Automation Plan (Line Item)											
6,401	6,151				12,552	12,706	12,208				24,914
c. Adjusted Cost Estimates (Line Item)											
12,476	11,987				24,463	4,040	3,883				7,923
d. Sunrise Application Evaluations (Line Item)											
							5,000				5,000
e. SB 264 -- Actuarial Evaluation (Line Item)											
	20,000				20,000						
f. Audits of School-Related Organizations (Line Item)											
	4,000				4,000						
g. Privatization Alternatives -- Additional Audit Staff (Line Item)											
24,837					24,837	24,778					24,778
h. New Audit Work -- Additional Audit Staff (Line Item)											
24,837					24,837	24,778					24,778
i. State Compensation Mutual Insurance Fund (Line Item)											
	24,837				24,837		24,778				24,778
2. Budget Reduction (Line Item)											
5,668					5,668	5,637					5,637
Total											
1,138,516	1,293,461				2,431,977	~~1,207,352~~ 1,167,924	1,268,050				~~2,475,402~~ 2,435,974
LEGISLATIVE FISCAL ANALYST (1102)											
1. Analysis and Review (01)											
781,974					781,974	830,965					830,965
a. Legislative Contingencies (Line Item)											
18,700					18,700						
b. Legislative Requests (Line Item)											
18,700					18,700						
2. Budget Reduction (Line Item)											
4,221					4,221	4,260					4,260
Total											
815,153					815,153	826,705					826,705
Items 1a and 1b are biennial appropriations.											
LEGISLATIVE COUNCIL (1104)											
1. Interim Studies and Conferences (05)											
444,046	12,000				456,046						
2. Reimbursable Activities Program (07)											
	593,470				593,470		251,120				251,120
3. Legislative Council Operations (10)											
1,300,694	458,726				1,759,420	1,834,120	254,363				2,088,483

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
a. 1991 Base Pay Adjustment (Line Item)	34,161					34,161	5,000					5,000
b. One Added FTE (Line Item)	23,865					23,865						
c. Reapportionment Technical Support (Line Item)	103,486					103,486	11,213					11,213
d. Legislative Computer Network (Line Item)	69,530					69,530	70,166					70,166
4. Budget Reduction (Line Item)	10,918					10,918	~~9,852~~ 65,952					~~9,852~~ 65,952
Total	1,964,864	1,064,196				3,029,060	~~1,910,647~~ 1,854,547	505,483				~~2,416,130~~ 2,360,030

Item 1 is a biennial appropriation. Individual activities are budgeted as follows:

Joint Interim Committees		$ 82,470
Statewide Issues	25,000	
Districting and Apportionment Commission	43,000	
Revenue Oversight Committee	37,983	
Administrative Code Committee	14,048	
Select Committee on Indian Affairs	7,200	
Commission on Uniform State Laws		30,000
National Conference of State Legislatures	189,706	
Northwest Economic Region Conference	20,000	
Regional Conferences	32,000	
State Aircraft Study	12,000	

Expenditure of funds for item 3d is contingent on approval by the joint legislative administration committee.

The legislative council may allocate money appropriated in item 1 among the individual activities listed above in order to complete work assigned by the legislature.

A biennial appropriation not to exceed $30,000 from pension trust funds is made to the legislative council for the purpose of conducting an interim study on retirement systems. Of the total appropriation, 12.5% must be made from the teachers' retirement pension fund. The remaining 87.5% must be made from the various pension trust funds administered by the public employees' retirement board in proportion to the membership of each system.

The revenue oversight committee may use part of the appropriation provided in item 1 for the support of the activities of the coal tax oversight subcommittee.

Item 1 includes $12,000 for an interim study of state-owned aircraft to determine the most economical method of managing the aircraft. The committee on committees of the senate and the speaker of the house of representatives shall, respectively, appoint four senators and four representatives, two from each party, to serve on the aircraft study interim committee.

The unobligated portions of the appropriations in Chapter 1, Special Laws of January 1992, ~~are on March 1, 1992, reappropriated to the legislative council and may be spent for an interim study upon unanimous agreement of the president of the senate, senate minority leader, speaker of the house, and house minority leader. The leaders may determine the membership and scope of the interim committees~~ ($145,426) must revert to the general fund.

ENVIRONMENTAL QUALITY COUNCIL (1111)

1. Environmental Quality Program (01)	263,125	1,058				264,183	261,465					261,465
a. Additional Staff (Line Item)	15,800					15,800	15,800					15,800
2. Water Policy Committee (02)		25,393				25,393						
3. Budget Reduction (Line Item)	1,410					1,410	~~1,390~~					~~1,390~~

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
							16,863					16,863
Total	277,515	26,451				303,966	~~275,875~~ 260,402					~~275,875~~ 260,402
Item 2 is a biennial appropriation.												
CONSUMER COUNSEL (1112)												
1. Administration Program (01)	805,775					805,775		828,517				828,517
a. Contract Services (Line Item)	100,000					100,000		100,000				100,000
b. Increased Travel (Line Item)	6,607					6,607		6,591				6,591
Total	912,382					912,382		935,108				935,108
Item 1a is for expert witness fees for unanticipated cases.												
JUDICIARY (2110)												
1. Supreme Court Operations (01)	1,305,273					1,305,273	1,302,950					1,302,950
a. Audit (Line Item)	15,626					15,626						
b. Court Automation (HB 320) (Line Item)	101,646					101,646	101,647					101,647
c. Law Clerk Parity (Line Item)	13,767					13,767	13,749					13,749
d. Clerk of Court Training (Line Item)	4,000					4,000	4,000					4,000
e. SB 228 -- Judicial Salary Increase (Line Item)	25,105					25,105	56,203					56,203
2. Boards and Commissions (02)	230,936					230,936	230,921					230,921
a. Judicial Standards (Line Item)	2,445					2,445	2,445					2,445
3. Law Library (03)	524,709					524,709	538,985					538,985
a. Automated Legal Data Bases (Line Item)	192,050					192,050	202,773					202,773
b. Law Book Inflation (Line Item)	10,556					10,556	9,265					9,265
4. District Court Operations (04)	2,534,319					2,534,319	2,527,692					2,527,692
a. SB 228 -- Judicial Salary Increase (Line Item)	125,348					125,348	289,212					289,212
b. 21st Judicial District Salary, Training, Travel (Line Item)							32,770					32,770
c. SB 228 -- Judicial Salary Increase (Line Item)							4,166					4,166
5. Water Courts Supervision (05)												

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
		459,161				459,161		475,084				475,084
a.	Audit (Line Item)											
		1,736				1,736						
b.	SB 228 -- Judicial Salary Increase (Line Item)											
		3,440				3,440		8,004				8,004
6.	Clerk of Court (06)											
	161,375					161,375	160,961					160,961
a.	Salary Increase -- Deputy Clerk of Supreme Court (Line Item)											
	3,323					3,323	3,323					3,323
7.	District Court Criminal Reimbursement Program (07)											
	2,682,579					2,682,579	3,062,573					3,062,573
a.	Audit (Line Item)											
	1,848					1,848						
8.	Budget Reduction (Line Item)											
	39,629					39,629	~~52,060~~					~~52,060~~
							102,060					102,060
Total												
	7,895,276	464,337				8,359,613	~~8,491,575~~	483,088				~~8,974,663~~
							8,441,575					8,924,663

Except for $16,000 for law library use, expenditures in item 3a are limited to the amount of revenue collected from reimbursable automated legal data base usage by other entities.

If revenue deposited to the general fund under the provisions of 61-3-509 is less than the appropriation for district court reimbursement, the supreme court administrator shall reduce the reimbursement to an amount equal to the revenue collected.

GOVERNOR'S OFFICE (3101)

1.	Executive Office Program (01)											
	982,796	83,221	1			1,066,018	978,859	83,186				1,062,045
a.	Audit (Line Item)											
	18,152					18,152						
2.	Mansion Maintenance Program (02)											
	53,922					53,922	54,639					54,639
3.	Air Transportation Program (03)											
	463,655	10,000				473,655	126,271	10,000				136,271
4.	Office of Budget and Program Planning (04)											
	771,856					771,856	770,706					770,706
a.	Audit (Line Item)											
	17,362					17,362						
b.	Equipment Replacement (Line Item)											
	4,000					4,000						
c.	Special Session (Line Item)											
	8,111					8,111						
5.	Northwest Regional Power Act (09)											
		403,124				403,124			402,853			402,853
6.	Lieutenant Governor (12)											
	159,367	6,000				165,367	150,186	15,000				165,186
7.	Citizens' Advocate Office (16)											
	53,030		15,000			68,030	53,715		15,000			68,715
8.	Mental Disabilities Board of Visitors (20)											
	140,286		47,037			187,323	141,554		47,037			188,591

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
9. Budget Reduction (Line Item)	72,321					72,321	54,007					54,007
Total	2,600,216	99,221	465,162			3,164,599	2,221,923	108,186	464,890			2,794,999

Public funds may not be used to support the governor's radio newsline, a telephone service providing recorded news briefs.

The citizens' advocate office may not be eliminated.

The governor's aircraft is to be sold, with the proceeds from the sale to be deposited in the general fund. The appropriation in item 3 includes $175,000 to purchase a new aircraft.

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
SECRETARY OF STATE'S OFFICE (3201)												
1. Records Management Program (01)	948,712					948,712	~~935,751~~ 901,350					~~935,751~~ 901,350
a. Audit (Line Item)	13,416					13,416						
2. Administrative Code Program (03)		174,064				174,064		175,298				175,298
a. Audit (Line Item)		2,368				2,368						
3. State Agency Record Management (05)				331,332		331,332				332,856		332,856
4. Budget Reduction (Line Item)	4,845					4,845	4,751					4,751
Total	957,283	176,432		331,332		1,465,047	~~931,000~~ 896,599	175,298		332,856		~~1,439,154~~ 1,404,753
COMMISSIONER OF POLITICAL PRACTICES (3202)												
1. Administration (01)	111,249					111,249	113,562					113,562
a. Audit (Line Item)	2,526					2,526						
b. Part-Time Assistant (Line Item)	10,406					10,406						
c. Staff Termination Pay (Line Item)	1,150					1,150	550					550
d. Legal Fees and Court Costs (Line Item)	27,844					27,844						
2. Budget Reduction (Line Item)	627					627	591					591
Total	152,548					152,548	113,521					113,521

Items 1b and 1d are biennial appropriations.

The commissioner of political practices may use funds from the biennial appropriation identified in item 1b for a 0.5 FTE part-time assistant to meet the biennial budget reduction of $17,156.

The commissioner of political practices is to charge a fee for the Campaign Finance Report book that is sufficient to recover the costs of printing and distribution of the book. Public libraries are exempt from the charge for the book. The proceeds from the sale of the book, as well as the fees collected for reimbursement of copier charges, must be deposited in the general fund.

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
STATE AUDITOR'S OFFICE (3401)												
1. Central Management (01)	236,418					236,418	226,850					226,850
a. Audit (Line Item)	5,048					5,048						
b. Computer System Replacement (Line Item)	97,930					97,930	41,656					41,656
2. State Payroll (02)	195,109	194,227				389,336	176,690	209,540				386,230
a. Audit (Line Item)	33,461					33,461						
b. Payroll System Data Processing -- ISD (Line Item)		160,218				160,218		144,394				144,394
3. Insurance Program (03)	917,308					917,308	868,897	41,850				910,747
a. Audit (Line Item)	5,050					5,050						
b. Medicare Compliance Specialist (Line Item)	29,354					29,354	27,304					27,304
c. Office Equipment (Line Item)	998					998	1,495					1,495
4. Securities Program (04)	284,001					284,001	281,587					281,587
a. Audit (Line Item)	5,050					5,050						
b. Office Equipment (Line Item)	140					140						
5. Fiscal Control and Management Program (10)	303,591	146,999		149,562		600,152	300,050	146,832		136,588		583,470
a. Audit (Line Item)	33,467					33,467						
b. Warrant System Data Processing -- ISD (Line Item)	99,268					99,268	89,464					89,464
6. Budget Reduction (Line Item)	63,036					63,036	29,932					29,932
Total	2,183,157	501,444		149,562		2,834,163	1,984,061	542,616		136,588		2,663,265

The appropriation in item 1b is for a computer system. The agency shall follow the system design recommendations approved by the information services division of the department of administration.

The state auditor shall implement a fee system for the purpose of recovering the operational cost of issuing warrants from all user agencies on an equitable basis. It is intended that, beginning in fiscal 1994, the general fund must be reimbursed for services provided to user agencies that are not funded entirely by the general fund. Revenues collected as reimbursement fees from user agencies for costs of issuing state warrants must be deposited in a state special revenue account. The state auditor shall submit the cost recovery plan and the 1995 biennium fee schedule by agency to the office of budget and program planning and to the legislative fiscal analyst by June 1, 1992.

CRIME CONTROL DIVISION (4107)												
1. Justice System Support Service (01)	402,254	58,665	166,462			627,381	~~429,558~~ 422,558	58,665	156,462			~~644,685~~ 637,685

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
a. Audit (Line Item)	5,176					5,176						
b. Crime Victims' Compensation Pass-Through Grants (Line Item)		379,920				379,920		379,920				379,920
c. Juvenile Justice Pass-Through Grants (Line Item)			221,500			221,500			221,500			221,500
d. Victims' Assistance Pass-Through Grants (Line Item)			224,000			224,000			224,000			224,000
e. Drug Education Pass-Through Grants (Line Item)			427,000			427,000			427,000			427,000
f. Drug Enforcement Pass-Through Grants (Line Item)			1,240,000			1,240,000			1,250,000			1,250,000
g. Narcotics Control -- Grant Administration (Line Item)	27,000		18,101			45,101	24,427		30,675			55,102
h. Drug Enforcement Pass-Through Grants (Modified) (Line Item)			904,000			904,000			921,000			921,000
i. Juvenile Justice -- Support Services (Line Item)	7,500					7,500	7,500					7,500
j. Victims' Assistance -- Grant Administration (Line Item)		29,116				29,116		25,985				25,985
k. Victims' Assistance Pass-Through Grants (Modified) (Line Item)			109,000			109,000			109,000			109,000
l. Drug Education -- Grant Administration (Line Item)			11,720			11,720			11,720			11,720
m. Drug Education Pass-Through Grants (Modified) (Line Item)			115,218			115,218			115,218			115,218
n. SB 321 -- Victim of DUI Offenders (Line Item)		73,038				73,038		72,538				72,538
o. SB 370 -- D.A.R.E. Program (Line Item)		16,200				16,200		16,200				16,200
p. SB 379 -- Probation and Parole Officer Standards (Line Item)	6,579					6,579	100					100
2. Budget Reduction (Line Item)	2,412					2,412	2,522					2,522
Total	446,097	556,939	3,437,001			4,440,037	~~459,063~~ 452,063	553,308	3,466,575			~~4,470,946~~ 4,471,946

Items 1b through 1f, 1h, 1k, and 1m are biennial appropriations.

All remaining federal pass-through grant appropriation authority for the 1991 biennium is authorized to continue into fiscal 1992 and fiscal 1993.

The board of crime control shall charge tuition and fees sufficient to reimburse the general fund for costs associated with the juvenile justice training program and for technical assistance provided to local law enforcement agencies. The tuition and fees collected must be deposited in the general fund.

HIGHWAY TRAFFIC SAFETY (4108)

1. Highway Traffic Safety Division (36)	184,080	74,087	904,614			1,162,781	184,080	74,686	903,504			1,162,270
a. Audit (Line Item)		1,013	1,013			2,026						
2. Budget Reduction (Line Item)	1,000					1,000	1,000					1,000

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
Total	183,080	75,100	905,627			1,163,807	183,080	74,686	903,504			1,161,270
DEPARTMENT OF JUSTICE (4110)												
1. Legal Services Division (01)	845,681	311,771	1			1,157,451	938,193	212,972				1,151,165
a. Case-Related Travel (Line Item)	9,500					9,500	9,500					9,500
b. Legal Fees and Expert Witnesses (Line Item)	100,000					100,000						
c. Attorney-Indian Legal Jurisdiction (Line Item)	47,837					47,837	43,239					43,239
d. Litigation Costs (Line Item)	400,000					400,000						
2. Agency Legal Services (06)				571,894		571,894				571,855		571,855
3. Gambling Control Division (07)		1,387,007				1,387,007		1,386,606				1,386,606
a. Gambling Control Expansion (Line Item)		305,785				305,785		207,001				207,001
4. Motor Vehicle Division (12)	4,331,014	124,254	48,538			4,503,806	4,641,381	85,419	48,534			4,775,334
a. HB 646 -- Additional Handicap Parking Display Cards (Line Item)	15,000					15,000	2,500					2,500
b. HB 568 -- Driver's License Express Stations (Line Item)	708,000					708,000	710,000					710,000
5. Highway Patrol Division (13)		10,800,052	486,937			11,286,989		10,658,603	485,011			11,143,614
a. Additional Patrol Officers and Dispatchers (Line Item)		302,290				302,290		211,109				211,109
b. Handheld Radios (Line Item)		51,000				51,000						
6. Law Enforcement Services Division (18)	902,303	348,539	21,196			1,272,038	881,303	327,085	31,044			1,239,432
a. Special Investigation -- West (Line Item)	112,942		336,898			449,840	114,550		343,649			458,199
b. Fire Prevention Grant (Line Item)			9,976			9,976						
c. Identification Bureau Federal Grant (Line Item)			88,636			88,636			88,643			88,643
d. HB 809 -- Fire Marshal Bureau Expansion (Line Item)	69,000					69,000	126,624					126,624
7. County Attorney Payroll (19)	1,014,148					1,014,148	1,015,435					1,015,435
a. HB 155 -- County Attorney Salary Increase (Line Item)	136,000					136,000	333,000					333,000
8. Law Enforcement Academy Division (22)	607,208					607,208	606,858					606,858
9. Central Services Division (28)												

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
	167,823	196,198		9,334		373,355	169,654	196,952		9,401		376,007
a. Audit (Line Item)	16,628	19,440		925		36,993						
10. Data Processing Division (29)	651,393	240,969				892,362	645,373	246,847				892,220
a. Data Processing Air Conditioner (Line Item)	45,000					45,000	4,400					4,400
11. Extradition and Transportation of Prisoners (30)	143,648					143,648	143,640					143,640
12. Forensic Science Division (32)	930,630	243,667				1,174,297	864,061	226,237				1,090,298
13. Budget Reduction (Line Item)	304,762					304,762	~~381,749~~ 541,749					~~381,749~~ 541,749
Total	10,948,993	14,330,972	992,180	582,153		26,854,298	~~10,867,962~~ 10,707,962	13,758,831	996,881	581,256		~~26,204,930~~ 26,044,930

Items 1b and 1d are biennial appropriations.

The legislature recognizes that costs associated with the Crow coal case, water rights, and tribal litigation may exceed the appropriation in item 1, and in that event, the department will need to request a supplemental appropriation from the 1993 legislature to adequately represent the state.

If federal funds are not obtained for item 6a in fiscal 1993, the general fund appropriation, as amended by [this act], must be increased and the federal appropriation, as amended by [this act], must be decreased by the same amount.

In the event that a pay plan bill is passed and approved that includes salary increases for county attorneys, item 7a must be reduced by the amount included in the pay plan bill for county attorney salaries.

DEPARTMENT OF TRANSPORTATION (5401)

1. General Operations Program (01)	6,534,444	1,988,234				8,522,678		6,311,881	1,986,661			8,298,542
a. Audit (Line Item)	71,028					71,028						
b. Road Reporting System (Line Item)	12,750					12,750		13,630				13,630
c. Map Digitizing (Line Item)	120,000					120,000		120,000				120,000
d. Kalispell Bypass Study (Line Item)		150,000				150,000						
e. SB 164 -- Department of Transportation Organization Costs (Line Item)	105,128					105,128		30,061				30,061
2. Construction Program (02)	63,254,325	142,709,034				205,963,359		66,640,533	144,241,767			210,882,300
a. City Park Rest Areas (Line Item)	200,000					200,000		200,000				200,000
3. Maintenance Program (03)	46,944,095					46,944,095		46,728,864				46,728,864
a. Monitoring/Upgrading Underground Fuel Tanks (Line Item)	1,109,800					1,109,800		1,109,800				1,109,800
4. State Motor Pool (07)				748,341		748,341				594,076		594,076
5. Equipment Program (08)												

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
				13,390,277		13,390,277				13,249,710		13,249,710
6. Interfund Transfers Program (11)	14,208,404					14,208,404		17,149,771				17,149,771
7. Stores Inventory (12)	15,460,726					15,460,726		14,901,886				14,901,886
8. Gross Vehicle Weight Division (22)	3,540,044					3,540,044		3,637,061				3,637,061
a. Automated Weigh Stations (Line Item)	243,820					243,820		68,700				68,700
b. Gross Vehicle Weight Officer Training (Line Item)	30,165					30,165		25,165				25,165
Total	151,834,729	144,847,268		14,138,618		310,820,615	156,937,352	146,228,428		13,843,786		317,009,566

The department is directed to submit to the 1993 legislature a construction work plan for the 1995 biennium that is detailed by year and project. This work plan must specify, by road system or project area, proposed projects on which $1 million or more would be spent during the 1995 biennium and an aggregate cost for projects with anticipated expenditures of less than $1 million. Costs must be detailed by year and project.

The department may adjust appropriations and FTE in the construction, interfund transfers, and maintenance programs between fiscal years to reflect actual expenditures related to the construction work plan and maintenance activities.

The department may adjust appropriations in the construction program between fund types, provided that the adjustment does not exceed 10% of the total appropriation established by the legislature for the construction program. All transfers between fund types must be fully explained and justified on budget documents submitted to the office of budget and program planning, and all fund transfers of over $1 million in any 30-day period must be communicated to the legislative finance committee in a written report.

The department is directed to conduct a cost responsibility study to determine the appropriate ratio of highway user fees based on road wear caused by each type of user. The department shall provide a report of study results and a recommended fee structure to the legislative finance committee by June 1, 1992.

State highway commission commissioners cannot be flown to or from highway commission meetings in state-owned aircraft unless documented cost savings over other transportation options can be achieved.

DEPARTMENT OF REVENUE (5801)

1. Director's Office (01)	733,247	168,644	428,424	1,330,315	741,509		168,425	428,716	1,338,650
a. Audit (Line Item)	32,474	1,563	89,079	123,116					
2. Centralized Services Division (02)	706,656	8,607		715,263	700,416	8,589			709,005
3. Data Processing Division (03)	880,323	53,525	450,445	1,384,293	875,910	43,428		451,108	1,370,446
a. Workers' Compensation Payroll Tax (Line Item)		39,887		39,887		34,165			34,165
4. Liquor Division (05)									
a. Liquor Licensing Bureau (Line Item)			249,743	249,743				249,656	249,656
5. Income Tax (06)	3,315,923	286,506		3,602,429	3,162,629	293,880			3,456,509
a. Workers' Compensation Payroll Tax (Line Item)		91,992		91,992		75,074			75,074
b. Accounts Receivable (Line Item)	91,931			91,931	78,141				78,141
c. Equipment Replacement (Line Item)	66,389			66,389	27,614				27,614

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
d. Computer Processing Costs (Line Item)	98,384					98,384	72,417					72,417
e. Revenue Collection (Line Item)	91,713					91,713	78,723					78,723
f. Revenue Enhancement	39,667					39,667	126,761					126,761
6. Corporation Tax (07)	1,224,148	63,186	129,145			1,416,479	1,238,282	63,193	129,156			1,430,631
7. Property Tax Division (08)												
a. Elected and Deputy Assessors	1,649,662					1,649,662	1,651,923					1,651,923
b. Appraisers and Other Assessors	6,558,578					6,558,578	6,557,512					6,557,512
c. Property Assessment Program	2,956,963					2,956,963	2,956,882					2,956,882
d. Cyclical Reappraisal Costs (Line Item)	22,000					22,000	249,000					249,000
e. Computer-Assisted Mass Appraisal System (CAMAS) Costs (Line Item)	333,281					333,281	276,281					276,281
8. Motor Fuel Tax (10)		620,119				620,119		617,287				617,287
9. Budget Reduction (Line Item)	94,138					94,138	~~94,195~~ 801,142					~~94,195~~ 801,142
Total	18,707,201	1,165,385	297,789	1,217,691		21,388,066	~~18,699,805~~ 17,992,858	1,135,616	297,581	1,129,480		~~21,262,482~~ 20,555,535

Liquor division proprietary funds necessary to maintain adequate inventories of liquor and wine and to operate the state liquor operation are appropriated. During the 1993 biennium, the division shall attempt to return at least 10% of net sales. Net sales are gross sales less discounts and all taxes collected. The division shall limit operational expenses of the liquor merchandising system to not more than 15% of the net sales. Operational expenses may not include product costs, freight charges, expenses allocable to other divisions, or licensing bureau expenses.

An agent operating a state agency liquor store has the preference right to renew the agent's agency agreement by accepting the terms of the request for bids as those terms existed before January 1, 1991, and by meeting the highest bid made by any other applicant. Those agency agreements that contain renewal options must be honored according to the terms of the agency contract and request for bids in existence prior to January 1, 1991.

Funds appropriated in item 7e may be used only for consulting contracts to support CAMAS or to support appraisers' use of CAMAS, for debt service costs to fund equipment acquisition, and for computer maintenance contracts.

DEPARTMENT OF ADMINISTRATION (6101)

	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
1. Director's Office (01)	230,097			61,572		291,669	229,139			60,818		289,957
2. Accounting Program (03)	998,836			29,350		1,028,186	989,477			29,297		1,018,774
a. Audit (Line Item)	38,771					38,771						
3. Architecture and Engineering Program (04)		672,098			664,006	1,336,104		682,019			672,552	1,354,571
a. Audit (Line Item)		1,370				1,370						
b. Capitol Restoration Commission (Line Item)												

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Propri-etary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Propri-etary	Other	Total
		11,634				11,634		11,634				11,634
c. Expanded Long-Range Building Plan (Line Item)		51,242			51,242	102,484		53,670			53,670	107,340
4. Procurement and Printing Division (06)	408,724			6,111,843		6,520,567	412,625			6,380,662		6,793,287
a. Audit (Line Item)				19,788		19,788						
b. Pass-Through Printing (Line Item)				3,412,515		3,412,515				3,543,765		3,543,765
c. Federal Surplus Property (Line Item)				87,000		87,000				87,000		87,000
5. Information Services Division (07)												
a. Audit (Line Item)				58,140		58,140						
b. Contracted Systems Development (Line Item)				200,000		200,000						
c. Computer Services				7,982,061		7,982,061				8,193,261		8,193,261
d. Telecommunications				8,385,973		8,385,973				7,924,699		7,924,699
e. Emergency 911				75,567		75,567				76,712		76,712
f. Armory Computer Upgrade (Line Item)				75,000		75,000				75,000		75,000
g. Public Safety Communication (Line Item)				82,000		82,000				57,000		57,000
h. ISD -- Growth in Workload (Line Item)				500,000		500,000				500,000		500,000
i. ISD -- Networks (Line Item)				796,499		796,499				796,504		796,504
j. Mainframe Disaster Backup (Line Item)				179,000		179,000				144,000		144,000
k. Student Long Distance (Line Item)				323,768		323,768				323,771		323,771
l. Telephone System Upgrades (Line Item)				229,000		229,000				229,000		229,000
m. Family Services Computer System (Line Item)				78,200		78,200				93,200		93,200
6. General Services Program (08)	211,750			2,275,260	58,419	2,545,429	220,164			2,347,743	58,426	2,626,333
a. Audit (Line Item)				7,672		7,672						
b. Utilities Cost (Line Item)	141,083			1,034,607		1,175,690	143,409			1,051,670		1,195,079
7. Mail and Distribution Bureau (13)				1,639,686		1,639,686				1,642,234		1,642,234
a. Audit (Line Item)				3,526		3,526						
b. Postage Machines (Line Item)												

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
				6,500		6,500				6,500		6,500
c. Expanded Mail Services (Line Item)				174,087		174,087				174,087		174,087
8. State Personnel Division (23)	873,414			543,037		1,416,451	869,093			548,217		1,417,310
a. Audit (Line Item)				1,176		1,176						
b. Group Insurance Benefits System (Line Item)				36,500		36,500				21,500		21,500
c. State Employee Combined Campaign (Line Item)		10,000				10,000		10,000				10,000
d. Professional Development Center Growth in Workload (Line Item)				9,112		9,112				21,180		21,180
e. Communications for Group Insurance Requirements (Line Item)				8,000		8,000				8,000		8,000
f. Genetics Program (Line Item)				20,252		20,252				20,252		20,252
9. Tort Claims Division (24)				2,101,132		2,101,132				2,153,202		2,153,202
a. Audit (Line Item)				7,036		7,036						
b. Tort Claims -- Contracts (Line Item)				500,000		500,000				500,000		500,000
10. State Tax Appeal Board (37)	374,783					374,783	375,073					375,073
11. Budget Reduction (Line Item)	48,934					48,934	88,156					88,156
Total	3,228,524	746,344		37,054,859	773,667	41,803,394	3,150,824	757,323		37,009,274	784,648	41,702,069

Item 5b is a biennial appropriation.

The governor-elect program is appropriated all necessary expenses, up to $50,000 from the general fund in fiscal 1993, to implement the provisions of 2-15-221.

The department shall develop and submit a cost recovery plan for each of its proprietary operations to the office of budget and program planning and the legislative fiscal analyst by August 1, 1992.

Funds remaining in the capitol land grant account of the capital projects fund, after the appropriations are met for the general services division of the department of administration and any projects provided for in Chapter 774, Laws of 1991, are appropriated to the long-range building debt service fund for the payment of principal and interest on bond issues for public buildings at the capitol for executive, legislative, and judicial purposes, as outlined in section 12 of The Enabling Act. This appropriation is for the biennium ending June 30, 1993, and is not to exceed the annual debt service required on these bonds.

The appropriation in item 6 in the other column includes $58,801 in fiscal 1992 and $58,801 in fiscal 1993 from the capital projects fund.

In item 6, the department may charge a maximum of $3.28 a square foot in fiscal 1992 and $3.34 a square foot in fiscal 1993 for office space in state-owned buildings.

Item 6b may be used only to pay utilities costs.

The department may charge a maximum overhead rate of 6% each year in item 7.

The department is appropriated funds to pay the deductible portion of each claim incurred and covered by a deductible insurance plan from the deductible reserve fund authorized in 2-9-202(2).

By July 15, 1992, the tort claims division shall present to the legislative finance committee proposed changes in the method or methods of determining and allocating insurance premiums to state agencies. The division shall review with the legislative finance committee the proposal and potential fiscal impacts before the rate methodology is adopted and before premiums are included in agency budget requests by the office of budget and program planning.

In item 9b, the department is authorized to hire 0.5 clerical FTE.

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Propri-etary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Propri-etary	Other	Total
The public service commission is considering a proposal allowing large state natural gas customers to purchase their own supplies of gas directly from gas producers. Recognizing the likelihood of a changing natural gas procurement environment, the governor is authorized, if the proposal is approved by the commission, to designate a lead agency to implement a coordinated natural gas procurement program for affected state agencies and the university system.												
STATE COMPENSATION MUTUAL INSURANCE FUND (6103)												
1. State Compensation Mutual Insurance Fund (01)	25,082		121,856,189			121,881,271				128,877,379		128,877,379
a. Audit (Line Item)				83,655		83,655						
b. Claims Management Program (Line Item)				912,563		912,563				910,494		910,494
c. Audit Bureau (Line Item)				304,304		304,304				303,699		303,699
d. HB 187 -- Construction Premiums (Line Item)				228,629		228,629				194,830		194,830
Total	25,082		123,385,340			123,410,422				130,286,402		130,286,402
PUBLIC EMPLOYEES' RETIREMENT BOARD (6104)												
1. Public Employees' Retirement Program (35)					837,589	837,589					816,990	816,990
a. Audit (Line Item)					36,303	36,303						
b. Public Employees' Retirement Division -- Rewrite Data Processing System (Line Item)					301,289	301,289					79,224	79,224
c. Program Improvements (Line Item)					50,387	50,387					56,952	56,952
Total					1,225,568	1,225,568					953,166	953,166
The amounts listed in items 1, 1a, 1b, and 1c are appropriated from the pension trust fund.												
The board is appropriated $3,860 from pension trust funds in fiscal 1992 and $2,360 from pension trust funds in fiscal 1993.												
The board is appropriated $5,000 from pension trust funds in fiscal 1992 and $5,000 from pension trust funds in fiscal 1993.												
The board is appropriated $25,000 from pension trust funds in fiscal 1992 and $5,000 from pension trust funds in fiscal 1993.												
TEACHERS' RETIREMENT BOARD (6105)												
1. Teachers' Retirement Program (01)					469,647	469,647					461,222	461,222
a. Audit (Line Item)					23,676	23,676						
b. Data Processing and Service Upgrades (Line Item)					147,380	147,380					108,380	108,380
c. System Enhancements for Legislated Changes (Line Item)					25,000	25,000						
Total					665,703	665,703					569,602	569,602
The amounts listed in items 1, 1a, 1b, and 1c are appropriated from the pension trust fund.												
DEPARTMENT OF MILITARY AFFAIRS (6701)												
1. Administration Program (01)	217,838					217,838	212,991					212,991

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
a. Audit (Line Item)	5,920					5,920						
2. Army National Guard Program (12)	895,780		1,108,021			2,003,801	855,851		1,156,411			2,012,262
a. Repair and Maintenance (Line Item)	118,375					118,375						
b. Environmental Program (Line Item)	9,275		41,099			50,374	9,228		40,833			50,061
3. Air National Guard Program (13)	180,429		1,402,315			1,582,744	182,313		1,411,460			1,593,773
a. Repair and Maintenance (Line Item)	14,000		42,000			56,000						
4. Disaster Coordination Response (21)	218,140		235,009			453,149	217,697		234,558			452,255
a. Audit (Line Item)	4,262		4,262			8,524						
5. Emergency Management Development (24)			263,904			263,904			263,572			263,572
a. Audit (Line Item)			3,314			3,314						
b. Earthquake Program (Line Item)			46,187			46,187			46,190			46,190
6. Local Reimbursement -- DES (29)			564,000			564,000			540,000			540,000
7. Veterans' Affairs Program (31)	468,438	9,672	35,557			513,667	468,162	9,669	35,456			513,287
a. Audit (Line Item)	5,918					5,918						
b. Veterans' Cemetery Construction (Line Item)		22,500				22,500		31,500	45,000			76,500
8. Budget Reduction (Line Item)	31,834					31,834	~~67,732~~ 98,625					~~67,732~~ 98,625
Total	2,106,541	32,172	3,745,668			5,884,381	~~1,870,510~~ 1,847,617	41,169	3,773,480			~~5,693,159~~ 5,662,266

Items 2a and 3a are biennial appropriations.
In item 3, up to two firefighter FTE may be added if the current contract is modified or becomes unnecessary.
In item 5b, the department shall direct the earthquake program to local schools to the maximum extent possible.

TOTAL SECTION A	53,604,964	173,304,647	154,690,695	176,859,555	2,664,938	561,124,799	~~53,201,903~~ 52,101,661	177,276,114	156,131,339	183,319,642	2,307,416	~~572,236,414~~ 571,136,172

B. HUMAN SERVICES

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES (5301)												
1. Director's Office (01)	127,926		43,874	386,783		558,583	~~125,091~~ 75,714		43,844	384,008		~~552,943~~ 503,566
a. Personnel Specialist (Line Item)				25,529		25,529				25,472		25,472
b. Legal Services Charge System (Line Item)	76,265					76,265	76,265					76,265
2. Central Services (02)	516,150	884,325	213,254	785,266		2,398,995	476,950	864,763	211,795	786,845		2,340,353
a. Audit (Line Item)				53,666		53,666						
b. Laboratory Contingency (Line Item)		100,000				100,000						
c. Support Staff (Line Item)				46,922		46,922				46,818		46,818
d. Newborn Pku Screening (Line Item)		76,552				76,552		28,772				28,772
e. Safe Drinking Water -- Laboratory Certification (Line Item)		40,479				40,479		39,853				39,853
f. Safe Drinking Water -- Public Health Laboratory (Line Item)		39,847				39,847		39,306				39,306
3. Environmental Sciences (03)	822,917	1,402,369	728,237	145,559		3,099,082	~~814,875~~ 511,563	~~1,401,616~~ 1,704,928	715,549	142,903		3,074,943
a. Air Quality (Line Item)		84,972	248,386			333,358		80,771	247,976			328,747
b. Asbestos Control (Line Item)		92,919				92,919		92,239				92,239
c. Natural Resources Lawsuit (Line Item)		4,908,049				4,908,049						
d. Air Quality -- Permits (Line Item)		301,338				301,338		297,979				297,979
e. Pay Exceptions -- Environmental Specialist (Line Item)		24,128	58,799			82,927		23,715	57,825			81,540
f. HB 987 -- Regulation of Public Accommodations (Line Item)		10,125				10,125		10,125				10,125
g. HB 988 -- Regulation of Campgrounds, Trailer Courts, Etc. (Line Item)		15,750				15,750		15,750				15,750
h. HB 989 -- Regulation of Food Establishments (Line Item)		165,000				165,000		165,000				165,000
i. HB 994 -- Regulation of Swimming Pools (Line Item)		76,500				76,500		76,500				76,500
4. Solid and Hazardous Waste (04)	168,716	2,269,828	7,504,734			9,943,278	166,794	2,280,766	7,483,177			9,930,737
a. Hazardous Waste (Line Item)		48,628	147,306			195,934		47,823	144,889			192,712
b. Landfill Management (Line Item)												

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Propri-etary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Propri-etary	Other	Total
		138,367				138,367		136,501				136,501
c. Landfill Management -- EQC (Line Item)		297,066				297,066		298,376				298,376
d. BN/ARCO Special Projects (Line Item)		312,348				312,348		308,898				308,898
e. Pay Exceptions -- Environmental Specialist (Line Item)	13,725	125,490	99,973			239,188	13,491	124,583	98,317			236,391
f. Exemption for Noncommercial Waste -- HB 660 (Line Item)		95,008				95,008		95,008				95,008
5. Water Quality (05)	160,280	521,550	2,079,210			2,761,040	158,211	516,550	2,057,121			2,731,882
a. Agriculture Monitoring (Line Item)		15,000				15,000		15,000				15,000
b. Ground Water Pollution (Line Item)			112,373			112,373			111,203			111,203
c. Wastewater Operators (Line Item)		10,787				10,787		8,901				8,901
d. Subdivisions (Line Item)	44,386					44,386	40,213					40,213
e. Safe Drinking Water (Line Item)		625,017	303,823			928,840		622,756	302,363			925,119
f. Nonpoint Source Pollution (Line Item)			1,423,271			1,423,271			1,422,188			1,422,188
g. Ground Water -- EQC (Line Item)		101,494				101,494		99,903				99,903
h. Ground Water -- EQC Lawyer (Line Item)			46,378			46,378			45,590			45,590
i. Pay Exceptions -- Environmental Specialist (Line Item)	7,036	42,983	75,215			125,234	6,436	45,023	73,969			125,428
j. SB 136 -- Water Quality Districts (Line Item)		18,539				18,539		18,504				18,504
6. Health Services and Medical Facilities (06)	474,831	45,753	230,678			751,262	469,155	45,455	231,110			745,720
a. HB 445 -- Health Planning Specialist (Line Item)	16,289					16,289	16,251					16,251
7. Family/Maternal and Child Health Bureau (07)	97,985		15,082,316			15,180,301	97,272		14,859,001			14,956,273
a. Child Nutrition (Line Item)			1,634,000			1,634,000			2,642,000			2,642,000
b. WIC (Line Item)			1,122,486			1,122,486			1,122,486			1,122,486
c. MIAMI Program (Line Item)	171,468					171,468	169,608					169,608
8. Preventive Health Bureau (08)	199,076	60,020	1,120,301			1,379,397	91,795	65,874	1,111,683			1,269,352
a. Chronic Disease Prevention (Line Item)			40,054			40,054			39,850			39,850
b. AIDS Education (Line Item)			20,000			20,000			20,000			20,000

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
c. Sexually Transmitted Diseases (Line Item)			79,556			79,556			78,656			78,656
d. AIDS (Line Item)			33,583			33,583			32,751			32,751
e. Vaccine (Line Item)			103,540			103,540			101,774			101,774
9. Licensing and Certification (09)	371,607		912,381			1,283,988	407,528		876,281			1,283,809
a. OBRA (Line Item)	47,681		802,065			849,746	64,101		724,616			788,717
b. Hearings -- OBRA (Line Item)	10,275		126,727			137,002	13,700		123,302			137,002
Total	3,326,613	12,950,231	34,392,520	1,443,725		52,113,089	3,~~207,736~~ 2,855,047	7,~~866,310~~ 8,169,622	34,979,316	1,386,046		47,~~439,408~~ 47,390,031

Item 3c is a biennial appropriation.

The total appropriation for the department includes $2,204,426 in fiscal 1992 and $2,204,426 in fiscal 1993 from the maternal and child health block grant. To the extent revenue from the grant exceeds these amounts, it must be distributed to the counties, based upon identifiable needs. To the extent revenue from the grant is less than these amounts, allocations must be reduced proportionately among state programs and grants to counties.

The total appropriation for the department includes $644,771 in fiscal 1992 and $644,771 in fiscal 1993 from the preventive health block grant. To the extent revenue from the grant exceeds these amounts, it must be distributed at the discretion of the director of the department, based upon identifiable health care needs. To the extent revenue from the grant is less than these amounts, the director of the department shall make program reductions.

Funds appropriated to the department for indirect cost recovery may be expended only for that purpose.

The director's office includes $82,897 of general fund money each year within the legal unit that may be used only to pay legal services billed to programs funded by the general fund within the department. None of this appropriation may be transferred to other programs.

Item 2 includes a total of $25,000 of general fund each year that must be used to perform tests as needed on behalf of the food and consumer safety and occupational health bureaus within the department. If these funds are not needed for testing in the food and consumer safety and occupational health bureaus, they may be expended for other services within the laboratories.

It is the intent of the legislature that the department determine the feasibility of funding the public health and chemistry laboratories through proprietary and special revenue accounts with little or no use of general fund money, except as specified to support testing for the food and consumer safety and occupational health bureaus. If the department determines that such accounting is feasible and saves general fund money, then on or after July 1, 1991, the department may request that the approving authority authorize a proprietary account and reduce the general fund appropriation by a like amount. If this occurs, the general fund appropriation must remain at $25,000 to provide necessary testing for the food and consumer safety and occupational health bureaus.

Item 2b is a biennial appropriation that may be used only if the demand for reimbursable services requires expenditures for supplies, materials, and communications in excess of the appropriated levels of $184,820 in fiscal 1992 and $184,597 in fiscal 1993.

The department is authorized to receive an interentity loan from the general fund for no more than $4,928,894 for the purpose of conducting the Clark Fork natural resources damage assessment and litigation against the atlantic richfield company (ARCO). Repayment of this loan is extended through the end of the 1993 biennium in accordance with 17-2-107. The repayment must include interest on the amount loaned at a rate commensurate with rates earned in the short-term investment pool.

The natural resource damage litigation program policy committee is formed to ensure cooperation and unity among the state's natural resource agencies in carrying out their responsibilities as representatives of the governor, who is the trustee of the state's natural resources. The policy committee shall guide and make natural resource damage litigation program policy recommendations. The appropriation of $4,928,894 to continue the natural resources lawsuit against ARCO must be overseen by the policy committee, which consists of the following individuals or their designated representatives: the governor's energy and environmental policy advisor; the directors of the departments of health and environmental sciences and fish, wildlife, and parks; and the commissioner of the department of state lands. The attorney general or his designated representative may act in an advisory capacity to the natural resource damage litigation program policy committee.

None of the appropriation for the licensing, certification, and construction bureau may be transferred to any other program in the department.

The legislative fiscal analyst is directed to recalculate the indirect cost assessments to department programs, using the following rates applied to 100% of personal services:

FY 92 FY 93

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
General Rate						14.00%			12.00%			
Environmental Sciences Division						3.00%			3.00%			
Statewide Cost Allocation						3.75%			3.75%			

The appropriation in item 3 in the fiscal year 1993 state special revenue column includes $303,312 to be generated by increased fees in the air quality bureau.

Items 3e, 4e, and 5i may be used only to pay for the blanket "pay exception -- environmental specialist" class series and associated indirect costs, authorized by the department of administration on April 11, 1991.

DEPARTMENT OF LABOR AND INDUSTRY (6602)

	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
1. Job Service Division (01)		88,244	11,386,520			11,474,764		88,236	11,336,977			11,425,213
a. Federal Economic Dislocated Worker Adjustment and Assistance/Trade Adjustment Assistance Program (Line Item)			247,869			247,869			247,534			247,534
b. Jobs for Montana Graduates (Line Item)			126,517			126,517			124,485			124,485
2. Unemployment Insurance (02)			3,741,488			3,741,488			3,701,445			3,701,445
a. Unemployment Insurance Accounts Receivable (Line Item)			126,312			126,312			102,208			102,208
3. Commissioner/Centralized Services (03)				2,711,023		2,711,023				2,664,153		2,664,153
a. Audit (Line Item)				66,293		66,293						
4. Employment Relations (04)	423,224	1,359,095	680,030	389,277		2,851,626	394,028	1,317,950	684,365	389,094		2,785,437
a. Consideration of Investment Income -- HB 187 (Line Item)		44,438				44,438		38,485				38,485
5. Legal Services Division (06)		243,463	458,877	133,095		835,435		244,610	461,562	132,946		839,118
6. Research, Safety, and Training (07)		727,437	2,027,353			2,754,790		728,061	1,995,263			2,723,324
7. Human Rights Commission (08)	283,438		101,470			384,908	288,063		101,463			389,526
a. Human Rights Backlog (Line Item)	16,461					16,461	8,690					8,690
8. Workers' Compensation Judge (09)		356,165				356,165		355,643				355,643
9. Job Training Grants (50)			13,940,510			13,940,510			14,158,765			14,158,765
a. Project Work Program Contracts (Line Item)			286,145			286,145			286,145			286,145
b. Federal Economic Dislocated Worker Adjustment and Assistance/Trade Adjustment Assistance Grants (Line Item)			596,435			596,435			664,793			664,793
c. Job Training Partnership Act Funding (Line Item)			1,267,759			1,267,759			1,732,241			1,732,241
Total	723,123	2,818,842	34,987,285	3,299,688		41,828,938	690,781	2,772,985	35,597,246	3,186,193		42,247,205

All unappropriated revenue to and fund balance in the unemployment insurance administrative tax account is appropriated to a reserve fund for job service administrative costs, except amounts, up to $100,000 per fiscal year, necessary to comply with federal requirements that a cost allocation plan for nonunemployment insurance tax collections be established. The amount of unappropriated funds for deposit into the reserve must be determined after all other unemployment insurance

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Propri-etary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Propri-etary	Other	Total

administrative tax appropriations are funded. The job service reserve fund must be maintained within the unemployment insurance administrative tax account. Interest earned on the job service reserve must be deposited into the job service reserve fund. Sufficient funds from the job service reserve are appropriated to the department to fund the job service federal fund appropriation in fiscal 1992 and fiscal 1993, contingent upon receipt of federal funds for the support of job service functions that are less than the level received in fiscal 1991. Funds in the job service reserve may not be transferred to the unemployment insurance trust fund until January 30, 1993, except in the case that an amount is necessary to reduce the employer contribution schedule for the coming year. Any transfer prior to January 30, 1993, must be reviewed by the legislative finance committee.

The department, in concert with other interested parties, shall prepare formal guidelines for use of the unemployment insurance administrative tax funds and present these guidelines to the 53rd legislature. At a minimum, the guidelines must include a prioritization of programs and activities to be funded. The criteria for prioritization must include the following considerations:

(1) loss of federal funding, impact on rural communities, and employer/employee-related functions; and

(2) the establishment and maintenance of a reserve fund to ensure that employment security services continue in the event of federal fund reductions.

The department shall provide information to the 53rd legislature regarding the actual amount collected by the 3 FTE added to collect unemployment insurance accounts receivable.

The department is appropriated up to $1 million each year from funds referred to in 39-71-502 and 39-71-901 to pay uninsured employer and subsequent injury benefits as required by 39-71-503 and 39-71-907.

Funds appropriated in item 1b must be distributed to the office of public instruction for administration of the jobs for Montana's graduates program.

The budget director shall increase item 8 by the amount necessary to bring the salary and benefits of the workers' compensation judge to the levels authorized by Chapter 656, Laws of 1991, less any increase provided for in the pay plan bill.

Funds appropriated in item 9c to replace federal fund reductions in Job Training Partnership Act (JTPA) programs statewide are one-time only funds and may be used only if and to the extent federal JTPA funds allocated to the state are less than the amount allocated in state fiscal year 1991. Unspent funds revert to the job service reserve fund in the unemployment insurance administrative tax account.

During fiscal 1993, the department is authorized to use unemployment insurance administrative tax funds appropriated for funding the JTPA as state matching funds for federal funds appropriated to the department of social and rehabilitation services for the job opportunities and basic skills (JOBS) program.

The amount of unemployment insurance administrative tax funding for the jobs for Montana's graduates program may not be increased.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES (6901)

1.	Family Assistance (01)										
	16,328,532	806,543	48,365,516		65,500,591	~~16,066,913~~	~~801,988~~	~~48,101,330~~			~~64,970,231~~
						16,387,151	824,972	48,909,593			66,121,716
	a. Food Stamp Employment and Training (Line Item)										
			96,000		96,000			96,000			96,000
	b. Day-Care Rate Increase (Line Item)										
			118,077		118,077			204,806			204,806
	c. Food Stamp Job Search Support (Line Item)										
	43,750				43,750	43,750					43,750
	d. Statewide Jobs Program (Line Item)										
	709,367		1,931,001		2,640,368	709,367		1,931,001			2,640,368
	e. AFDC/General Assistance at 42% of Federal Poverty Index (Line Item)										
	537,529	29,142	1,135,730		1,702,401	~~1,199,824~~	~~67,125~~	~~2,622,980~~			~~3,889,929~~
						0	0	0			0
2.	Eligibility Determination Program (03)										
	2,463,835	2,436,980	4,523,828		9,424,643	2,461,200	2,434,448	4,519,060			9,414,708
3.	Administrative and Support Services (04)										
	615,002	307,237	1,517,425	1	2,439,665	616,482	308,621	1,522,310	1		2,447,414
	a. Audit (Line Item)										
	68,690	6,284	74,974		149,948						
	b. Grant Writing (Line Item)										
		11,250	22,500		33,750		11,250	22,500			33,750
4.	Child Support Enforcement (05)										
		1,225,772	2,443,455		3,669,227		~~1,215,076~~	~~2,441,553~~			~~3,656,629~~

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
								1,891,383	3,754,385			5,645,768
a. Contracted Employees (Line Item)		109,756	246,512			356,268		101,511	250,652			352,163
b. Collection of Parental Contribution to Out-of-Home Care -- HB 993 (Line Item)		10,145	19,692			29,837		10,294	19,981			30,275
5. State-Assumed County Administration (06)	606,151		500,578			1,106,729	596,195		500,752			1,096,947
6. Medical Assistance (07)	57,081,847	7,590,929	170,346,054			235,018,830	53,861,591	7,975,494	169,647,004			231,484,089
a. OBRA-90 (Line Item)	282,998		631,829			914,827	1,169,322		2,470,104			3,639,426
b. Hospital Rate Study/Cost Containment (Line Item)	292,080		142,080			434,160	191,300		41,300			232,600
c. Baby Your Baby (Line Item)		134,000	134,000			268,000						
d. Nurses' Aide Testing (Line Item)	86,400		86,400			172,800	86,400		86,400			172,800
e. Nursing Home Rate Rebase (Line Item)	1,110,746		2,815,539			3,926,285	2,644,514		6,766,569			9,411,083
f. Elderly Waiver Expansion (Line Item)	74,888		189,827			264,715	100,134		256,216			356,350
g. Residential Psychiatric (Line Item)			4,490,088			4,490,088			4,516,295			4,516,295
h. Increase Ob/Gyn/Ped Physicians' Rates (Line Item)	817,510		2,072,241			2,889,751	1,078,433		2,759,406			3,837,839
i. Health Clinics Expansion (Line Item)	18,388		46,612			65,000	18,265		46,735			65,000
j. Ambulance Provider Increase (Line Item)	139,729		354,189			493,918	138,791		355,127			493,918
k. Pregnant Women Targeted Case Management (Line Item)	139,484		353,566			493,050	138,574		354,572			493,146
l. Provider Rate Increase (Line Item)	3,181		8,068			11,249	6,354		16,258			22,612
m. Operating Cost Implementation of SB 391 (Line Item)	62,298		119,299			181,597	86,551		90,752			177,303
n. Managed Care Benefit Costs of SB 391 (Line Item)							143,566		367,346			510,912
o. Targeted Case Management Benefits Costs for the Mentally Ill -- SB 391 (Line Item)			1,510,752			1,510,752			1,524,996			1,524,996
p. Federal Medicaid Reimbursement for State Institutions -- HB 93 (Line Item)			104,334			104,334			109,288			109,288
7. Audit and Program Compliance Division (08)	575,770	7,445	809,479			1,392,694	567,733	7,430	809,185			1,384,348
8. Office of Management, Analysis, and Systems (09)	1,697,497	534,238	2,933,450	1		5,165,186	2,055,708	578,011	3,474,121			6,107,840
a. TDD Project Implementation (Line Item)		67,072				67,072		70,890				70,890
b. TEAMS Operations (Line Item)	438,795					438,795	485,182					485,182

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
c. SEARCHS Operations (Line Item)		196,337	2,433,698			2,630,035		226,975	1,322,777			1,549,752
9. Vocational Rehabilitation Program (10)	965,693	688,058	6,416,932			8,070,683	966,386	687,966	6,278,353			7,932,705
a. JTPA Administration (Line Item)			15,000			15,000			15,000			15,000
b. Provider Rate Increase (Line Item)	51,952		199,957			251,909	104,422		401,908			506,330
c. JTPA Additional Training (Line Item)			25,000			25,000			25,000			25,000
d. Program Expansion (Line Item)	155,455					155,455	155,455					155,455
10. Disability Determination Program (11)			2,655,318			2,655,318			2,654,349			2,654,349
11. Visual Services Program (13)	280,319		968,316			1,248,635	279,374		967,493			1,246,867
a. Provider Rate Increase (Line Item)	7,204		21,654			28,858	14,476		43,520			57,996
12. Developmental Disabilities Program (14)	9,206,205		16,042,689			25,248,894	9,265,498		15,975,818			25,241,316
a. Provider Rate Increase (Line Item)	931,226		328,892			1,260,118	1,916,428		676,848			2,593,276
b. Program Expansion (Line Item)	95,483		245,527			341,010	181,779		467,431			649,210
c. DD System Phase IV Implementation (Line Item)	725,745		568,430			1,294,175	813,331		1,517,728			2,331,059
d. DD System Phase I and II Implementation (Line Item)	391,794		762,564			1,154,358	389,156		761,753			1,150,909
e. DD Part H Expansion (Line Item)	477,059		364,627			841,686	897,059		244,627			1,141,686
f. Increased Title XIX Funding (Line Item)			500,000			500,000			500,000			500,000
g. Montana Youth Initiative (Line Item)			86,000			86,000			86,000			86,000
h. Chapter I OPI DD Treatment (Line Item)			90,000			90,000			90,000			90,000
i. OBRA-87 (Line Item)							296,516		762,470			1,058,986
13. Developmental Disabilities Advisory Council (15)			304,696			304,696			304,672			304,672
a. DDPAC Grant Increased Administration (Line Item)			9,977			9,977			10,004			10,004
b. DDPAC Grant Increased Benefits (Line Item)			32,500			32,500			32,500			32,500
14. Budget Reduction (Line Item)	50,000					50,000	~~100,000~~					~~100,000~~
Total							395,929					395,929

Fiscal 1992						Fiscal 1993					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
97,432,602	14,161,188	280,214,872	2		391,808,664	~~99,646,029~~ 98,470,514	~~14,497,079~~ 15,129,245	~~289,062,850~~ 288,560,965	1		~~403,205,959~~ 402,160,725

The department is authorized to retain 7.5% of the federal community services block grant and pass through the remaining 92.5% to the human resource development councils (HRDC). If, during fiscal 1992 or fiscal 1993, the block grant falls below the federal fiscal year 1990 grant level, the department shall retain only 5% and pass through the remaining 95% to the HRDCs.

Item 1b is funding for rate increases to day-care providers. Beginning October 1, 1991, the department shall increase day-care provider rates up to 75% of the "local market rate" (the maximum allowed under federal regulations). If federal regulations permit the use of funds from the new "child care and development block grant" for these increases, the department shall decrease the general fund appropriations by the amount of block grant funds available.

Funds appropriated in [this act] may not be expended for at-risk day-care services. Other funds approved by the budget amendment process may be used to fund at-risk day care.

~~Item 1e is additional funding to set~~ AFDC and general assistance payment levels ~~at~~ shall be 42% of the federal poverty index in fiscal 1992 and through August in fiscal 1993. Effective September 1, 1992, AFDC and general assistance payments shall be 38% of the federal poverty index.

The department may, beginning October 1, 1991, pay AFDC recipients a transition-to-work allowance. The allowance may be used for travel and relocation expenses of the recipient and family to another county or state. AFDC recipients are eligible to receive this allowance under rules adopted by the department. The rules may establish limitations on the amount to be paid and require that the recipient have verification of employment, an employment interview, or acceptance into an approved educational or training program. Expenses for a transition-to-work allowance may be paid from the appropriation for AFDC benefits.

The department is authorized to use federal funds appropriated for the job opportunities and basic skills (JOBS) program to match general fund money available within the department and unemployment insurance administrative tax funds appropriated to the department of labor and industry for funding the Job Training Partnership Act (JTPA).

The state share of the AFDC-related support collections and all AFDC and non-AFDC federal incentive payments must be deposited in a state special revenue account from which the state's share of the administrative and operational costs of the child support enforcement program must be paid. The legislature intends that, during the 1993 biennium, the department collect $1.25 for each $1 expended for administrative and operational costs from the account. Expenditures made from the account for state medicaid match or development of the SEARCHS computer project are not considered administrative or operational expenditures for purposes of this requirement. The department shall transfer to the general fund from the child support enforcement account all cash balance remaining at the end of fiscal 1992. Any cash balance in the account in excess of $500,000 at the end of fiscal 1993 must be deposited in the general fund.

The department is authorized to transfer funds among appropriations for medicaid primary care, medicaid nursing care, medicare buy-in, state medical, and the home and community-based waiver program. Except as provided below, funds transferred to the medicaid waiver program may not be used to increase the number of recipients receiving waiver services but must be used solely for covering cost increases above the appropriated level.

The department may utilize funds appropriated for medicaid nursing care to increase the number of recipients in the home and community-based waiver program during the 1993 biennium under the following conditions:

(1) During the 1993 biennium, no more than 25 nursing residents who are appropriate for waiver services may be transferred from nursing facilities to the waiver program.

(2) Per diem waiver costs for residents moved from nursing facilities may not exceed the statewide average medicaid per diem cost of intermediate nursing care.

(3) The department shall keep records of each resident transferred under this provision and submit to the 53rd legislature a report on the number of residents transferred and any cost savings achieved as a result of the transfers.

The legislature intends that expenditures for all executive budget modifications for provider rate increases approved by the legislature be limited to dollar amounts appropriated rather than percentage increases on which the original estimates may have been based. The department will be in compliance with this provision if:

(1) it estimates total costs for each medicaid service category in June, prior to the beginning of each fiscal year of the 1993 biennium; and

(2) the percentage increases or base adjustments approved by the department are limited to the dollar amount appropriated for each budget modification.

The department may not expand or reduce the amount, scope, or duration of benefits provided to recipients under the medicaid primary care or nursing care programs during the 1993 biennium unless Title XIX of the federal Social Security Act is amended to require expansion or reduction of benefits as a condition of the state receiving federal financial participation. This provision may not be construed to prohibit the department from implementing coverage provided in 53-6-101(3)(l).

The rate increases in items 6e and 6h are funded beginning October 1, 1991.

Upon final determination of all general fund money in the department's unreconciled special revenue fund balance (in the approximate total amount of $2,530,153) and the deposit of these funds in the general fund, $438,795 in fiscal 1992 and $485,182 in fiscal 1993 are appropriated to fund the additional general fund costs of the TEAMS project in item 8b. Any funds remaining in the special revenue fund to which the state is entitled must be deposited in the general fund.

However, if a subsequent reconciliation concludes that funds transferred from the unreconciled account to the general fund belong to the federal government, the department may request a general fund supplemental appropriation to repay the federal funds.

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Propri-etary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Propri-etary	Other	Total
Chapter 707, Laws of 1991, required the department to transfer all money in the federal special revenue account (number 03143) associated with the former department of community affairs grant closeouts reported in the April 1990 legislative audit report. If a subsequent reconciliation of this account concludes that any of the funds transferred from the account to the general fund belong to the federal government, the department may request a general fund supplemental appropriation to repay the federal funds.												
It is the intent of the legislature that annualized expenses for operation of SEARCHS not exceed $1,500,000. This amount includes expenses for any facilities management contracting that may be utilized for system operations, computer processing costs directly associated with operation of the system, and other personal services and nonpersonal services costs directly charged to the management and operation of the system. The department may not proceed with development of SEARCHS until it has demonstrated to the satisfaction of the governor's office of budget and program planning and to the legislative finance committee that the projected annualized operational costs of the system will not exceed the limit imposed in this statement of intent.												
Item 9b is funding for a 4.5% rate increase each year of the 1993 biennium to providers of vocational rehabilitation services.												
Item 11a is funding for a 4.5% rate increase each year of the 1993 biennium to providers of visual services.												
The department is authorized to transfer funds between appropriations for the vocational rehabilitation and visual services programs.												
Item 12a is funding for a 4.5% rate increase each year of the 1993 biennium to providers of developmental disabilities services.												
The department may pursue funding under the federal ICF/MR program for additional intensive service slots funded by the 1991 legislature if the federal government fails to approve adequate medicaid waiver funding under the home and community-based waiver program.												
DEPARTMENT OF FAMILY SERVICES (6911)												
1. Management Support (01)												
	1,616,806	14,806	535,741			2,167,353	1,591,661	14,784	527,236			2,133,681
a. Audit (Line Item)												
	62,036		38,982			101,018						
b. Management Information System (Line Item)												
	80,037		8,893			88,930						
c. Management Increases (Line Item)												
	109,849		81,583			191,432	102,829		75,227			178,056
d. Division Directors (Line Item)												
	40,082		7,073			47,155	37,789		6,669			44,458
2. Community Services (02)												
	21,330,914	2,607,131	12,468,661			36,406,706	19,594,866	2,614,818	12,578,786			34,788,470
a. Child Care and Development Block Grant (Line Item)												
			2,373,287			2,373,287			2,641,716			2,641,716
b. Staff Increases (Line Item)												
	233,293		41,169			274,462	224,699		39,653			264,352
c. Montana Developmental Center Phases I and II SSI (Line Item)												
	27,072					27,072	27,072					27,072
d. Montana Developmental Center Phase IV Child Placement (Line Item)												
	42,435		107,565			150,000	84,300		215,700			300,000
e. Montana Developmental Center Phase IV Case Management (Line Item)												
	29,664		51,546			81,210	29,665		51,535			81,200
f. Montana Developmental Center Phase IV SSI (Line Item)												
	19,740					19,740	53,580					53,580
g. Youth Treatment Services (Line Item)												
	1,170,737					1,170,737	1,599,095					1,599,095
h. Field Equipment (Line Item)												
	20,000					20,000	20,000					20,000
i. Native American Services (Line Item)												
	280,863		711,937			992,800	278,977		713,823			992,800
j. SB 37 -- Aftercare Services (Line Item)												
	5,105					5,105	33,613					33,613
3. Mountain View (03)												

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
	1,964,695	3,134	103,807			2,071,636	1,981,694	3,135	103,877			2,088,706
	a. Staff Increases (Line Item)											
	34,902					34,902	33,675					33,675
4.	Pine Hills School (04)											
	3,205,244	314,045	303,489			3,822,778	3,220,172	320,180	303,344			3,843,696
	a. Industries Program (Line Item)											
		6,000				6,000		6,000				6,000
	b. Staff Increases (Line Item)											
	61,757					61,757	61,707					61,707
Total	30,335,231	2,945,116	16,833,733			50,114,080	28,975,394	2,958,917	17,257,566			49,191,877

Item 1b is a biennial appropriation.

The department shall submit to the 53rd legislature a report detailing the numbers of developmentally disabled (DD) clients served by the department in fiscal 1992 and the actual fiscal 1992 general fund and federal fund expenditures for that service.

The department may provide DD targeted case management through increases in staff, or it may contract for the targeted case management services. The department may transfer the targeted case management program for the developmentally disabled to the department of social and rehabilitation services during the 1993 biennium.

Included in item 2 is a general fund appropriation of $38,708 in fiscal 1992 and $58,083 in fiscal 1993 for increases to day-care providers. Beginning October 1, 1991, the department shall increase day-care provider rates up to 75% of the "local market rate" (the maximum allowed under federal regulations). If federal regulations permit the use of funds from the new "child care and development block grant" for these increases, the department shall decrease the general fund appropriations by the amount of block grant funds available.

In item 2a, the department is appropriated federal funds of $2,373,287 in fiscal 1992 and $2,641,716 in fiscal 1993 for improving the availability and quality of day care. The department shall issue a report to the 53rd legislature detailing the numbers and types of services provided and the actual fiscal 1992 expenditures for those services.

In item 2g, at least $1.3 million for the biennium must be reserved for residential treatment services.

In item 2i, the department may use the funds to contract for direct services on reservations or pay for placement services.

The continuum of service plan is to be presented to the legislative finance committee during calendar 1991 for its review and comment. After review by the committee and consideration of recommendations and upon implementation of the plan, all funds are to be spent in accordance with the plan. The goal of the plan is to develop a comprehensive child welfare service system by July 1, 1993. The system must include but not be limited to family-based services, foster care, therapeutic foster care, group care, residential treatment, and psychiatric hospitalization for youth. Funds appropriated for the youth foster care program may not be transferred to the medicaid program administered by the department.

The department may not issue a contract for the refinancing project until the contract has been reviewed by the legislative finance committee.

TOTAL SECTION B											
131,817,569	32,875,377	366,428,410	4,743,415	535,864,771	~~132,519,940~~ -- 130,991,736	~~28,095,291~~ -- 29,030,769	~~376,896,978~~ -- 376,395,093	4,572,240	~~542,084,449~~ -- 540,989,838		

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
C. NATURAL RESOURCES												
PUBLIC SERVICE REGULATION (4201)												
1. Public Service Regulation Program (01)	1,791,853		25,137	19,397		1,836,387	1,806,581		25,113	19,380		1,851,074
a. Audit (Line Item)	15,784					15,784						
b. Consultants (Line Item)	50,000					50,000						
c. Travel and Registration (Line Item)	25,000					25,000						
d. Exempt Positions Salaries (Line Item)	14,400					14,400	14,400					14,400
e. Public Service Commission Relocation -- SB 164 (Line Item)	176,310					176,310	108,120					108,120
f. Regulation of Log Hauling -- HB 192 (Line Item)	23,639					23,639	20,027					20,027
Total	2,096,986		25,137	19,397		2,141,520	1,949,128		25,113	19,380		1,993,621
Items 1b and 1c are biennial appropriations.												
DEPARTMENT OF FISH, WILDLIFE, AND PARKS (5201)												
1. Management Services Division (01)	1,184,123	471,048		1,845,483		3,500,654		1,231,525	469,542	1,839,404		3,540,471
a. Audit (Line Item)	53,666					53,666						
b. Legislative Contract Authority (Line Item)			65,000			65,000			65,000			65,000
c. Fiscal Management Position (Line Item)	33,801					33,801		32,425				32,425
d. Vehicle Account (Line Item)				163,000		163,000				169,000		169,000
2. Field Services Division (02)	2,139,230	451,282		106,137		2,696,649		2,158,078	457,296	101,115		2,716,489
a. Block Management (Line Item)	170,581					170,581		170,469				170,469
b. Fishing and Motorboat Access (Line Item)	9,880		29,642			39,522		9,863	29,591			39,454
c. Microcomputer Support (Line Item)	30,731					30,731		30,665				30,665
d. Block Management -- Executive Planning Process (Line Item)	234,494					234,494		234,496				234,496
e. Game Damage (Line Item)	50,000					50,000		75,000				75,000
f. Sporting Information (Line Item)	17,000					17,000		17,000				17,000
g. License Agent Commissions (Line Item)	10,300					10,300		97,300				97,300
h. Development and Maintenance of Department Property (Line Item)	60,000					60,000		60,000				60,000

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
i. Computerize Land Records (Line Item)		35,000				35,000		35,000				35,000
j. Cherry Creek Reservoir (Line Item)		100,000	50,000			150,000						
k. License Drawings -- HB 91 (Line Item)		9,864				9,864		7,297				7,297
3. Fisheries Division (03)	2,507,264		2,162,190		18,600	4,688,054		2,367,417	2,130,525			4,497,942
a. Water Leasing Study (Line Item)			60,000			60,000						
b. Legislative Contract Authority (Line Item)			1,245,000			1,245,000			1,505,000			1,505,000
c. Missouri Basin Reservations (Line Item)		41,706	125,120			166,826						
d. Streambank Projects (Line Item)		10,000	31,000			41,000		10,000	31,000			41,000
e. USFS Fisheries Data Project (Line Item)		13,958	41,873			55,831		14,233	42,700			56,933
f. Evaluate Fish Population (Line Item)		27,060	81,180			108,240		27,051	81,152			108,203
g. Fishing and Motorboat Access (Line Item)		8,006	24,017			32,023		8,089	24,264			32,353
h. Flathead Lake Fishery (Line Item)		5,785	17,354			23,139		5,971	17,911			23,882
i. Clark Fork River Investigation (Line Item)		12,318	36,953			49,271		12,317	36,952			49,269
j. Fish Hatchery Operations (Line Item)		13,750	41,250			55,000		13,750	41,250			55,000
k. Evaluation of Fish Introductions -- HB 576 (Line Item)		18,750	56,250			75,000						
l. Paddlefish Roe -- HB 115 (Line Item)		26,000				26,000		26,000				26,000
m. Water Measuring Devices -- HB 908 (Line Item)		7,250				7,250		21,750				21,750
4. Law Enforcement Division (04)	3,958,760		190,882			4,149,642		3,991,839	190,713			4,182,552
a. Legislative Contract Authority (Line Item)			40,000			40,000			40,000			40,000
b. Special Investigations (Line Item)		110,580				110,580		110,547				110,547
c. Enforcement Relocation (Line Item)		27,000				27,000		27,000				27,000
5. Wildlife Division (05)	2,500,661		2,288,629			4,789,290		2,519,720	2,306,357			4,826,077
a. Upland Game Birds (Line Item)		1,853,386				1,853,386						
b. Legislative Contract Authority (Line Item)			1,404,500			1,404,500			1,331,500			1,331,500
c. Sun River Game Management Area (Line Item)												

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
		35,000				35,000						
d. Habitat/Timber Sales Plans (Line Item)		16,250				16,250		16,250				16,250
e. Canyon Ferry Wildlife Management Area (Line Item)		7,404				7,404		7,398				7,398
f. Helicopter Rental (Line Item)		45,300	45,300			90,600		45,300	45,300			90,600
g. Upland Game Bird Increase (Line Item)		125,000				125,000						
h. Development and Maintenance of Real Property -- SB 252 (Line Item)		532,026				532,026						
6. Parks Division (06)	50,323	3,378,402	289,215	256,913		3,974,853	50,324	3,405,876	289,122	271,732		4,017,054
a. Land and Water Conservation Fund (Line Item)			700,000			700,000						
b. Legislative Contract Authority (Line Item)			25,000			25,000			25,000			25,000
c. Park Futures Committee (Line Item)	338,273					338,273	337,903					337,903
d. Fishing Access Maintenance (Line Item)		49,549				49,549		49,550				49,550
e. Capitol Grounds Maintenance (Line Item)				27,265		27,265				27,258		27,258
f. Off-Highway Vehicles -- HB 309 (Line Item)		98,580				98,580		98,580				98,580
7. Conservation Education Division (08)		1,237,193	149,842			1,387,035		1,241,942	156,244			1,398,186
a. Shooting Ranges (Line Item)		150,049				150,049						
b. Legislative Contract Authority (Line Item)			30,000			30,000			30,000			30,000
c. Watchable Wildlife (Line Item)		29,333				29,333		29,334				29,334
d. Aquatic Education (Line Item)		2,748	8,244			10,992		2,748	8,244			10,992
e. Update Hunter Education (Line Item)		6,250	18,750			25,000		6,250	18,750			25,000
f. Off-Highway Vehicles -- HB 309 (Line Item)		10,900				10,900		10,900				10,900
8. Administration (09)		1,608,450	552,491			2,160,941		1,597,938	550,990			2,148,928
a. Legislative Contract Authority (Line Item)			100,000			100,000			100,000			100,000
b. Legal Services -- Executive Planning Process (Line Item)		33,798				33,798		33,801				33,801
c. Tribal Relations (Line Item)		40,000				40,000		40,000				40,000
d. Interagency Support (Line Item)		25,000				25,000		25,000				25,000

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
e. Geographic Information System (Line Item)		50,000				50,000		40,000				40,000
f. Regional Offices Support (Line Item)		75,000				75,000		75,000				75,000
g. Sikes Act (Line Item)	150,000		20,000			170,000						
h. Predator Control (Line Item)		20,000				20,000		20,000				20,000
i. Legal Services (Line Item)		12,300				12,300		12,300				12,300
Total	388,596	23,019,436	10,852,012	2,398,798	18,600	36,677,442	388,227	20,072,969	10,024,403	2,408,509		32,894,108

Items 2j, 3a, 3c, 3k, 5a, 5c, 5g, 5h, 6a, 7a, and 8g are biennial appropriations.

If the department receives private funds, it may increase its state special revenue appropriation and decrease its federal revenue appropriation by like amounts.

The appropriation for the legislative contract authority in items 1b, 3b, 4a, 5b, 6b, 7b, and 8a is subject to the following provisions:

(1) Legislative contract authority applies only to federal and private funds.

(2) Legislative contract authority expenditures must be reported on state accounting records. The records must be separate from current level operations.

(3) A report must be submitted by the department to the legislative fiscal analyst following the end of each fiscal year of the biennium. The report must include a listing of projects, with the related amount of expenditures for each project.

The department shall conduct a study of the options and methods available for allocating administrative costs to the various state special revenue funds managed by the agency. The department shall present the findings of its study to the legislative finance committee by July 1, 1992, along with its recommendation, affected accounts, and any required statute changes.

Item 2f contains $17,000 a year to develop informational displays for use by license agents, and item 2g contains $10,300 in fiscal 1992 and $97,300 in fiscal 1993 for increases in license agents' commissions. Chapter 592, Laws of 1991, increased certain fishing and hunting license fees.

Item 2h contains $60,000 a year from the general license account for development and maintenance of wildlife management areas, waterfowl projects, parks, and fishing access sites. This appropriation is reduced by the amount of funds Chapter 319, Laws of 1991, provided the general license account for the management of wildlife management areas. Chapter 319, Laws of 1991, revised allocation of funds for development and maintenance of wildlife habitat.

Item 3 contains $18,600 in fiscal 1992 to contract with the U.S. fish and wildlife service to raise Kokanee salmon fingerlings at the Creston national fish hatchery. If a second raceway shelter at the Creston national fish hatchery is not purchased, this appropriation is reduced by $8,220.

Item 3i contains $50,042 in fiscal 1992 and $50,040 in fiscal 1993, appropriated for aquatic resource data collection on the Upper Clark Fork River in connection with the state's resource damage assessment suit against ARCO. The department shall present to the 53rd legislature the results of this project. In preparing the 1995 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include the expenditures from this item in the current level base. In the litigation, the state shall seek reimbursement for all expenses incurred by the department associated with the assessment and litigation. Reimbursement must include interest on the amount commensurate with rates earned in the short-term investment pool.

Item 4c contains $27,000 a year for employee relocation expenses. The department shall present the 53rd legislature with a report on historical expenditures for employee relocation. In preparing the 1995 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include the expenditures from this item in the current level base.

Item 6 contains $246,266 from federal funds and $55,000 from the general fund in fiscal 1992 and $246,173 from federal funds and $55,000 from the general fund in fiscal 1993 for the Montana conservation corps. It is the intent of the legislature that the department provide a liaison position to coordinate this program with the human resource development council.

Item 8 contains $5,500 in fiscal 1992 to print the department's 5-year strategic plan. In preparing the 1995 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include the expenditures from this item in the current level base.

Item 8e contains $50,000 in fiscal 1992 and $40,000 in fiscal 1993 for a pilot project to evaluate potential uses of a geographic information system within the department. In preparing the 1995 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include the expenditures from this item in the current level base.

Fish, wildlife, and parks commission commissioners cannot be flown to or from fish, wildlife, and parks commission meetings in state-owned aircraft unless documented cost savings over other transportation options can be achieved.

DEPARTMENT OF STATE LANDS (5501)

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
1. Central Management Program (01)	1,374,154	97,627	112,654	188,024		1,772,459	1,379,585	95,037	112,596	185,611		1,772,829
a. Audit (Line Item)	41,038					41,038						
b. Trust Land Access (Line Item)	250,000					250,000						
c. Helena Office Support Staff (Line Item)	16,451	31,796				48,247	16,350	31,796				48,146
d. Royalty Auditor Travel Expense (Line Item)		10,469				10,469		10,469				10,469
e. Revised Lease for Office Space (Line Item)	82,992					82,992	82,992					82,992
2. Reclamation Program (03)	274,691	626,141	8,589,719			9,490,551	270,767	630,754	8,589,223			9,490,744
a. Opencut Bond Forfeiture (Line Item)		100,000				100,000						
b. Hard-Rock Reclamation (Line Item)		100,000				100,000						
c. Hard-Rock Bond Forfeiture (Line Item)		100,000				100,000						
d. Environmental Analysis (Line Item)		3,000,000				3,000,000						
e. Coal Bureau Workload (Line Item)		47,176	97,199			144,375		51,039	104,628			155,667
f. Abandoned Mine Rent (Line Item)			17,784			17,784			17,784			17,784
g. Hard-Rock Workload (Line Item)		123,609				123,609		116,747				116,747
h. Coal and Uranium Rent (Line Item)		5,335	12,449			17,784		5,335	12,449			17,784
i. Hard-Rock Increase (Line Item)		100,000				100,000		100,000				100,000
j. Environmental Compliance (Line Item)		129,289				129,289		106,190				106,190
k. SB 253 -- Opencut Reclamation (Line Item)		15,500				15,500		15,500				15,500
3. Land Administration Program (04)	661,122	255,640				916,762	687,276	255,819				943,095
a. Trust Land Management (Line Item)	90,629					90,629	115,923					115,923
b. Cabinsite Sales (Line Item)		70,000				70,000						
4. Forestry (25)	5,396,740	2,963,314	385,005			8,745,059	5,406,382	2,962,595	385,266			8,754,243
a. Federal Fire Reimbursement (Line Item)			44,000			44,000			44,000			44,000
b. State/County Cooperative Fire (Line Item)	43,040	21,517				64,557	42,670	21,333				64,003
c. Slash Increase (Line Item)												

Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
	31,384				31,384		31,385				31,385
d. Urban Forestry Assistance (Line Item)											
		156,759			156,759			156,764			156,764
e. Forest Resource Management Program (Line Item)											
		336,974			336,974			259,465			259,465
f. Best Management Practices Audit (Line Item)											
10,000					10,000						
g. Block 5 and Philipsburg Fire (Line Item)											
67,425	33,712				101,137	68,458	34,228				102,686
h. Best Management Practices Work (Line Item)											
23,435					23,435	23,437					~~23,437~~
								19,320			42,757
i. Forestry Capital Equipment (Line Item)											
100,383	42,117				142,500	100,383	42,117				142,500
j. HB 731 -- Streamside Management Zones (Line Item)											
52,463					52,463	37,018					37,018
k. Fire Supplemental (Line Item)											
5,573,650					5,573,650						
l. Fire Suppression Costs (Line Item)											
						3,000,000					3,000,000
Total											
14,058,213	7,904,626	9,752,543	188,024		31,903,406	~~8,231,241~~ 11,231,241	4,510,344	~~9,682,175~~ 9,701,495	185,611		~~22,609,371~~ 25,628,691

The $250,000 general fund appropriation in item 1b is to be used for an economic study ($200,000) of the surface uses of state lands, with emphasis on recreation uses, and for startup costs ($50,000) of the recreational access program mandated in Chapter 609, Laws of 1991. The study of recreational uses must be performed by an economist with experience in analysis of the economic value of recreation.

Items 2a through 2d, 3b, and 4f are biennial appropriations.

The department shall conduct a study of the options and methods available for allocating administrative costs to the various state special revenue funds managed by the agency. The department shall present the findings of its study to the legislative finance committee by July 1, 1992, along with its recommendation, affected accounts, and any required statute changes.

Item 2i contains $100,000 a year for the hard-rock increase modification.

The legislature recommends that the board of land commissioners amend its cabinsite rules to require lessees who apply for sale of their cabinsites to reimburse the department for all expenses it incurs in processing the sale applications.

Item 2k grants spending authority to implement Chapter 431, Laws of 1991.

Item 4 contains $24,400 a year from the general fund to provide training and materials on best management practices to loggers and forest landowners. If federal funds are received for this purpose, the general fund appropriation must be reduced by a like amount.

Item 4d contains $173,100 a year of federal funds for the urban forestry assistance program. The department shall emphasize replacing dead, diseased, and infected trees in Montana communities. Replacement trees that are adapted to and will survive in Montana must be used.

Item 4f contains $10,000 in fiscal 1992 as a biennial appropriation to coordinate and conduct, in consultation with the environmental quality council, audits of the application and effectiveness of voluntary best management practices for timber sales.

Item 4l is to be used only to pay fire suppression costs incurred by the department of state lands.

Federal fire reimbursement funds are those funds received for expenses incurred from loaning department personnel to federal agencies to assist in fire suppression activities. Only those federal funds received as reimbursement of expenses credited against the department's state forestry operational budget are considered federal fire reimbursement funds. All other federal funds received must be deposited into the general fund. The department shall report federal fire reimbursement expenditures on state accounting records, and the records must be separate from current level operations.

DEPARTMENT OF LIVESTOCK (5603)

1. Centralized Services Program (01)											
62,794	352,967	38,170			453,931	~~62,714~~	~~352,623~~	38,135			453,472

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
							0	415,337				
a. Audit (Line Item)												
	3,899	16,620				20,519						
2. Diagnostic Laboratory Program (03)												
	269,947	498,215				768,162	314,978	453,263				768,241
3. Disease Control Program (04)												
		482,783				482,783		483,794				483,794
4. Milk and Egg Program (05)												
	150,313		30,707			181,020	~~149,680~~		31,268			180,948
							0	149,680				
5. Inspection and Control Program (06)												
		2,095,424				2,095,424		1,981,982				1,981,982
a. Livestock Workload Increase (Line Item)												
		53,861				53,861		53,794				53,794
6. Predator Control Program (08)												
		374,162				374,162		272,266				272,266
a. Section 8 (Line Item)												
		20,000				20,000		20,000				20,000
7. Rabies Control (09)												
		15,000				15,000		15,000				15,000
8. Meat and Poultry Inspection Program (10)												
	225,720		225,721			451,441	~~225,510~~		225,510			451,020
							0	225,510				
Total	712,673	3,909,032	294,598			4,916,303	~~752,882~~ 314,978	~~3,632,722~~ 4,070,626	294,913			4,680,517

In implementing the appropriation in item 1, the department shall apportion $62,714 of state special revenue funding to the various special levies collected, based upon the percentage of support from centralized services for the support of the activity supported by the levy.

In implementing the increases in state special revenue funding in items 4 and 8, the department shall use existing balances in the state special revenue accounts from levies designated to support the activity.

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (5706)

1. Centralized Services (21)												
	1,192,924	390,391	4,391			1,587,706	1,218,000	390,121	4,364			1,612,485
a. Audit (Line Item)												
	42,617					42,617						
b. State of Montana, et al. v. United States Army Corps of Engineers, et al. (Line Item)												
	25,000					25,000						
2. Oil and Gas Regulation (22)												
		1,151,230				1,151,230		1,136,578				1,136,578
a. Oil and Gas Environmental Impact Statement -- Montana Environmental Policy Act Compliance (Line Item)												
		50,000				50,000		50,000				50,000
3. Conservation and Resource Development Division (23)												
	299	1,052,194	54,765			1,107,258	2,079	1,053,717	54,782			1,110,578
a. Statewide Resource Conservation and Development Coordinator (Line Item)												
	14,470		14,471			28,941	14,438		14,438			28,876
b. Statewide Resource Conservation and Development Operating Expenses (Line Item)												
	19,887		19,887			39,774						
c. HB 701 -- Implementation of Clean Coal Technology Project (Line Item)												

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
		20,000				20,000						
d. Pay Exceptions (Line Item)		8,361				8,361		8,106				8,106
e. Treasure State Endowment							20,000					20,000
4. Water Resources and Planning (24)	2,214,949	2,228,436	81,316			4,524,701	2,339,042	2,091,112	51,022			4,481,176
a. Broadwater Equipment (Line Item)		336,000				336,000						
b. Rehabilitation of State-Owned Water Projects (Line Item)		891,000				891,000						
c. Poplar River Monitoring (Line Item)		33,050				33,050		33,750				33,750
d. Middle Creek Dam (Line Item)			3,896,925			3,896,925						
e. Smith River (Line Item)			1,600,000			1,600,000						
f. Tongue River (Line Item)		400,000	1,600,000			2,000,000						
g. Missouri Basin Reservation (Line Item)		82,505				82,505		82,317				82,317
h. Missouri River Operating Expenses (Line Item)		288,743				288,743						
i. Hydrologist Pay Exceptions (Line Item)		71,113				71,113		71,113				71,113
j. Pay Exceptions (Line Item)	27,374	90,736				118,110	27,374	90,736				118,110
k. ~~Treasure State Endowment HB-19~~							~~20,000~~ 0					~~20,000~~ 0
5. Reserved Water Rights Compact Commission (25)	123,948	283,447				407,395	150,119	282,652				432,771
a. Pay Exceptions (Line Item)	3,948	7,331				11,279	3,936	7,311				11,247
b. Hydrologist Pay Exceptions (Line Item)		11,440				11,440		11,410				11,410
6. Energy Planning (26)	444,452	1,268,725	1,093,701			2,806,878	444,825	1,288,920	1,095,275			2,829,020
a. Rock Creek Mitigation (Line Item)		400,000				400,000						
b. Lake Broadview (Line Item)		30,000				30,000						
c. Energy Conservation (Line Item)			107,000			107,000			334,500			334,500
d. Pay Exceptions (Line Item)	10,349	1,150				11,499	10,042	1,117				11,159
7. Budget Reduction (Line Item)							72,212					72,212

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Propri-etary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Propri-etary	Other	Total
Total	4,120,217	9,095,852	8,472,456			21,688,525	~~4,229,855~~ 4,157,643	6,598,960	1,554,381			~~12,303,196~~ 12,310,984

Items 1b, 3b, 3c, 4a, 4b, 4d through 4f, 4h, 6a, and 6b are biennial appropriations.

All indirect charges collected on oil overcharge funds are appropriated for transfer to the general fund.

Included in centralized services funding is $10,000 a year of indirect funds from major facility siting fees. If major facility siting activities generate more than $20,000 of indirect funds over the biennium, the additional major facility siting fee indirect funds must be used to fund centralized service operations and an equal amount of centralized service division general fund money must be reverted.

The board of oil and gas conservation is appropriated $110,000 a year from federal special revenue, contingent upon receiving federal funds from the environmental protection agency for the underground injection control program.

The department is authorized up to $700,000 from the account established in 76-14-112 for rangeland loans during the 1993 biennium.

The department is appropriated up to $1 million over the biennium from the account established in 85-1-604 for purchase of prior liens on property held as loan security as required by 85-1-618.

All funds deposited into the state special revenue account established in 76-15-530 are appropriated to the department for distribution as grants to conservation districts.

~~The general fund appropriation in items 3a and 3b may be expended only as a match for an equal amount of federal~~ funds.

Funds appropriated in item 4a must be used to repair and replace equipment at the Broadwater hydropower project and to service the Broadwater hydropower project bond debt if revenue deposited in the debt service account is insufficient for this purpose.

~~Item 4k is to implement House Bill No. 19 and is contingent on passage of House Bill No. 19 and on electoral approval.~~

Funds received under the provisions of 85-1-514(4) are appropriated to the department for the purpose of performing duties required under 85-1-514.

Any revenue collected in the state water project hydroelectric power generation special revenue account established in Chapter 370, Laws of 1991, is appropriated to the department for the rehabilitation of the Tongue River dam. The revenue will be used only if federal authorization for the project rehabilitation is secured.

Any fines collected under the provisions of Title 85, chapter 2, and deposited in the water right appropriation account in accordance with 85-2-318 are appropriated to the department to carry out the enforcement functions required under 85-2-114.

Funds received from bonds required by 37-43-306 are appropriated to the department for the purpose of performing remedial action on water wells, providing compensation for damages caused by water well violations, or paying administrative costs incurred by the board of water well contractors.

In spending eligible federal energy funds appropriated in item 6, the department shall give priority to developing a self-sustaining program for retrofitting school buildings with energy conservation measures that is similar to the state building energy conservation program established by Title 90, chapter 4, part 6, for state buildings. The department shall submit to the 53rd legislature proposed legislation necessary to implement the school building energy conservation program.

The department is appropriated up to $700,000 from the Rock Creek mitigation special account in addition to the $400,000 appropriated in item 6a. The total appropriation for item 6a may not exceed $1,100,000 over the biennium.

~~The department may not reduce general fund appropriations for the statewide resource conservation and development coordinator or the statewide resource conservation and development operating expenses as shown in items 3a and 3b.~~

The department of natural resources and conservation shall transfer to the general fund from the water adjudication special revenue account $154,000 in fiscal 1993.

DEPARTMENT OF AGRICULTURE (6201)

1.	Centralized Services Division (15)										
	175,911	188,091	24,504	33,509	422,015	177,241	188,060	24,448	33,443	423,192
	a. Audit (Line Item)									
	26,733				26,733					
2.	State Grain Laboratory (25)									
		458,676			458,676		460,209			460,209
	a. Grain Laboratory Increase (Line Item)									
		61,804			61,804		41,772			41,772
3.	Environmental Management Division (30)									
	224,622	1,863,365	257,774		2,345,761	111,959	1,986,743	257,776		2,356,478
	a. Pesticide Program Workload (Line Item)									
		57,086			57,086		58,962			58,962
	b. Ground Water Program Workload (Line Item)									

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
		224,295	68,515			292,810		220,278	68,437			288,715
4. Plant Industry Division (40)												
	448,926	143,851	9,144	11,198		613,119	443,564	146,063	9,189	11,251		610,067
5. Agricultural Development (50)												
	215,674	1,751,048	82,696		251,536	2,300,954	210,854	1,755,791	83,491		252,580	2,302,716
Total	1,091,866	4,748,216	442,633	11,198	285,045	6,578,958	943,618	4,857,878	443,341	11,251	286,023	6,542,111

Item 3a contains $58,361 in fiscal 1992 and $60,281 in fiscal 1993 for an increase in the pesticide program. Item 3b contains $294,883 in fiscal 1992 and $291,090 in fiscal 1993 for an increase in the ground water program.

The department is authorized to make grants to state agencies from the growth through agriculture account, as approved by the Montana agriculture development council in accordance with Title 90, chapter 9. The state agency that receives a grant from the Montana agriculture development council is authorized additional appropriation authority equal to the grant amount.

The department shall report to the legislative finance committee during fiscal 1992 on the feasibility of the department selling its portfolio of rural assistance program loans to the board of investments, thus enabling it to increase its loan capability.

DEPARTMENT OF COMMERCE (6501)

1. Public Safety Division (01)											
	70,842		65,338		136,180		70,841		65,250		136,091
a. Audit (Line Item)											
			464		464						
2. Weights and Measures Bureau (02)											
	427,469				427,469	406,477					406,477
a. Audit (Line Item)											
	1,394				1,394						
b. Equipment Replacement (Line Item)											
	59,386				59,386	15,000					15,000
3. Financial Division (36)											
	821,173				821,173		821,241				821,241
a. Audit (Line Item)											
	2,434				2,434						
b. Bank Analysis Computers (Line Item)											
	27,773				27,773		4,450				4,450
4. Milk Control Bureau (37)											
	283,503				283,503		284,272				284,272
a. Audit (Line Item)											
	835				835						
5. Professional and Occupational Licensing Bureau (39)											
	2,047,292		859,146		2,906,438		2,028,181		858,739		2,886,920
a. Audit (Line Item)											
			7,703		7,703						
b. Impairment Program -- Dentists (Line Item)											
	25,000				25,000		25,000				25,000
c. Miscellaneous Legislation (Line Item)											
	191,641		73,818		265,459		160,482		62,845		223,327
6. Aeronautics Division (40)											
	599,341	73,599	63,713		736,653		600,391	73,592	63,653		737,636
a. Audit (Line Item)											
	1,912		144		2,056						
b. West Yellowstone Airport (Line Item)											

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
				17,000		17,000						
7. Transportation Division (50)	370,761	62,102	879,734			1,312,597	~~341,074~~ 281,074	71,250	850,835			~~1,263,159~~ 1,203,159
a. Audit (Line Item)	1,466		978			2,444						
b. McCarty Farms (Line Item)	165,483					165,483						
c. Local Rail Assistance Grant (Line Item)			500,000			500,000						
d. Construction Loan Fund (Line Item)		1,800,000				1,800,000						
8. Business Development Division (51)	727,808	347,062	2,192,329			3,267,199	708,868	347,065	2,192,326			3,248,259
a. Audit (Line Item)	2,633		1,316			3,949						
b. Business Development Division (Line Item)		35,000				35,000		35,000				35,000
c. Defense Logistics Agency Contract (Line Item)		48,839	110,760			159,599		48,841	110,768			159,609
d. EDA/CDBG Revolving Fund (Line Item)			168,922			168,922			169,926			169,926
e. Canadian Trade Office (Line Item)	14,816	55,000				69,816	14,741	55,000				69,741
f. International Affairs Coordinator (Line Item)		53,540				53,540		53,544				53,544
g. Small Business Development Centers Expansion (Line Item)			75,000			75,000			100,000			100,000
h. General Revision of Montana Capital Company Act -- HB 901 (Line Item)		42,385				42,385		39,385				39,385
9. Montana Promotion Division (52)		4,752,177				4,752,177		4,757,953				4,757,953
a. Audit (Line Item)		11,283				11,283						
b. Montana Promotional Division (Line Item)		1,034,028				1,034,028		1,352,234				1,352,234
10. Community Development Bureau (60)	220,058	2,295,493	20,099,524			22,615,075	219,837	1,160,916	20,110,416			21,491,169
a. Audit (Line Item)	1,881	2,794	12,748			17,423						
b. Section 8 Grant Increase (Line Item)			1,000,390			1,000,390			1,000,390			1,000,390
c. Treasure State Endowment -- HB 19							35,000					35,000
11. Office of Research and Information Services (61)	296,192					296,192	282,276					282,276
a. Audit (Line Item)	874					874						
b. Automation of Census (Line Item)												

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
	58,061					58,061	37,266					37,266
12. Local Government Services -- Audit (62)												
	86,770			1,101,410		1,188,180	86,737			1,101,007		1,187,744
a. Audit (Line Item)												
				3,244		3,244						
b. Local Government Services Peer Review (Line Item)												
				10,000		10,000						
c. Single Audit Act -- HB 328 (Line Item)												
				143,137		143,137				144,859		144,859
13. Local Government Services -- Systems (63)												
	49,741			186,588		236,329	49,605			186,329		235,934
a. Audit (Line Item)												
				818		818						
14. Local Government Assistance -- Administration (64)												
				115,466		115,466				115,810		115,810
a. Audit (Line Item)												
				302		302						
15. Building Codes Bureau (65)												
	30,058	1,220,487				1,250,545	30,016	1,220,959				1,250,975
a. Audit (Line Item)												
	125	3,625				3,750						
b. Vehicle Replacement (Line Item)												
		191,424				191,424						
16. Indian Affairs Coordinator (70)												
	98,398					98,398	98,457					98,457
a. Audit (Line Item)												
	278					278						
b. EEO Grant -- Indian Affairs (Line Item)												
			97,536			97,536			96,992			96,992
17. Health Facilities Authority (71)												
				116,141		116,141				116,093		116,093
a. Audit (Line Item)												
				6,100		6,100						
18. Montana Science and Technology Alliance (73)												
	398,556					398,556	~~409,420~~					~~409,420~~
							108,328					108,328
a. Audit (Line Item)												
	10,658					10,658						
b. R & D Loans -- SB 242 (Line Item)												
	50,000					50,000	~~50,000~~					~~50,000~~
							11,608					11,608
19. Board of Housing (74)												
				1,972,226		1,972,226				1,965,745		1,965,745
a. Audit (Line Item)												
				57,095		57,095						
20. Investments Division (75)												
				1,544,640		1,544,640				1,544,164		1,544,164
a. Audit (Line Item)												
				104,059		104,059						

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
b. Additional FTE BOI/HFA Bond (Line Item)				21,658		21,658				21,609		21,609
c. Investment Portfolio Managers (Line Item)				46,179		46,179				92,367		92,367
21. Montana State Lottery (77)				3,004,658		3,004,658				3,007,793		3,007,793
a. Audit (Line Item)				132,861		132,861						
b. Montana Lottery (Line Item)				3,466,783		3,466,783				3,275,782		3,275,782
c. Lottery Vehicles (Line Item)										55,500		55,500
22. Board of Horseracing (78)	302,171					302,171		302,820				302,820
a. Audit (Line Item)	944					944						
23. Director/Management Services (81)	103,705			749,470		853,175	103,820			748,881		852,701
a. Audit (Line Item)	299			78,920		79,219						
24. Budget Reduction	16,333					16,333	54,667					54,667
Total	3,160,537	16,330,100	25,212,836	13,949,081		58,652,554	2,~~833,927~~ 2,434,443	13,439,825	24,705,245	13,426,426		54,~~405,423~~ 54,005,939

Item 5 contains $3,000 in fiscal 1992 and $2,000 in fiscal 1993 for the board of dentistry to implement mandatory continuing professional education requirements for dentists and dental hygienists.

Item 6 contains $33,176 in fiscal 1992 and $33,226 in fiscal 1993. These amounts are not to be used for moving costs associated with the department of transportation.

Item 7 contains $31,081 from the general fund and $20,721 from federal funds in fiscal 1992 for moving costs associated with the department of transportation.

Item 7b is for litigation costs associated with the McCarty Farms case. The department shall seek to recover all general fund expenditures plus interest at a rate of 10% from any settlement in this case.

Items 7b through 7d are biennial appropriations.

Item 8c contains $110,760 a year of federal funds to provide assistance for small businesses in contracting with the federal government. General fund money may not be used in place of these federal funds.

The department is authorized to seek and expend private or other funds to replace $77,921 of state special revenue included in item 8f. If the department is successful in securing private or other funds, the accommodations tax state special revenue account appropriation is reduced by $38,959 in fiscal 1992 and $38,962 in fiscal 1993.

Item 10c is to implement House Bill No. 19 and is contingent on passage of House Bill No. 19 and on electoral approval.

Item 11b contains $58,061 in fiscal 1992 and $37,266 in fiscal 1993 for automation of census data. In preparing the 1995 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include the expenditures from this item in the current level base.

All revenue deposited in the science and technology development special revenue account, as established in 90-3-305, is appropriated to the Montana board of science and technology development.

In eliminating the certified communities program, the business development division may retain the 1.0 FTE associated with that program.

TOTAL SECTION C	25,629,088	65,007,262	55,052,215	16,566,498	303,645	162,558,708	19,~~320,878~~	53,~~112,698~~	46,~~729,571~~	16,051,177	286,023	135,~~508,347~~

Fiscal 1992						Fiscal 1993					
General Fund	State Special Revenue	Federal Special Revenue	Propri-etary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Propri-etary	Other	Total
						21,419,278	53,550,602	46,748,891			138,055,971

D. INSTITUTIONS AND CULTURAL EDUCATION

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
MONTANA ARTS COUNCIL (5114)												
1. Promotion of the Arts (01)	115,869	116,778	198,277			430,924	11,558	220,636	198,253			430,447
a. Audit (Line Item)	15,784					15,784						
b. Federal Grants -- Biennial (Line Item)			307,470			307,470						
c. Federal Grants -- Biennial (Line Item)			35,000			35,000						
d. Federal Grants (Line Item)			11,535			11,535			11,535			11,535
e. Federal Grants -- Biennial (Line Item)			231,130			231,130						
2. Budget Reduction (Line Item)							1,349					1,349
Total	131,653	116,778	783,412			1,031,843	~~11,558~~ 10,209	220,636	209,788			~~441,982~~ 440,633

Items 1b, 1c, and 1e (federal grants awarded to local communities and schools) are biennial appropriations.

LIBRARY COMMISSION (5115)												
1. State Library Operations (01)	895,977	157,431	363,927			1,417,335	~~939,658~~ 737,251	153,905	368,406			~~1,461,969~~ 1,259,562
a. Audit (Line Item)	15,784					15,784						
b. Federal Grants -- Biennial (Line Item)			1,286,476			1,286,476						
c. Blind and Physically Handicapped -- FTE and Associated Equipment (Line Item)	22,319					22,319	19,097					19,097
d. Library of Congress Dues (Line Item)	1,500					1,500	3,000					3,000
e. Local Library Assistance -- Biennial (Line Item)	194,664					194,664						
f. Western Library Network Equipment (Line Item)		10,000				10,000						
2. Natural Resource Information Services (07)		236,442	14,871			251,313		236,440	14,871			251,311
a. Contract Authority -- Biennial (Line Item)			650,000			650,000						
3. Budget Reduction (Line Item)							13,870					13,870
Total	1,130,244	403,873	2,315,274			3,849,391	~~961,755~~ 745,478	390,345	383,277			~~1,735,377~~ 1,519,100

Item 1b (federal grants for local libraries) is a biennial appropriation.
Item 1d (appropriation for library of congress dues) may not be included in the current level base in the agency budget request for the 1995 biennium.

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
Item 1e (general fund state aid to local libraries) is a biennial appropriation.												
In the event coal severance tax allocated to the state library under 15-35-108(3)(f) exceeds the amounts appropriated to the state library for fiscal 1992 and fiscal 1993, the additional funds are appropriated to the state library commission for pass-through to the library federations.												
The biennial appropriation for the legislative contract authority in item 2a is subject to the following provisions:												
(1) Legislative contract authority applies only to federal and private funds.												
(2) Legislative contract authority expenditures must be reported on state accounting records. The records must be separate from current level operations.												
(3) A report must be submitted by the library commission to the legislative fiscal analyst following the end of each fiscal year of the biennium. The report must include a listing of projects with the related amount of expenditures for each project.												
HISTORICAL SOCIETY (5117)												
1. Administration Program (01)												
	478,737	82,762	33,392			594,891	~~481,242~~	82,233	33,383			~~596,050~~
							463,742					579,358
a. Audit (Line Item)												
	16,707					16,707						
b. Trustees' Reimbursement (Line Item)												
	7,654					7,654	7,654					7,654
c. Capitol Tour Guides (Line Item)												
	22,105					22,105	~~22,816~~					~~22,816~~
							10,816					10,816
2. Library Program (02)												
	396,256	2,148		27,588		425,992	~~396,300~~	1,559		~~28,316~~		426,175
							393,300			31,316		
3. Museum Program (03)												
	193,340	19,487		4,121		216,948	187,385	19,487		4,121		210,993
a. Electronic Security (Line Item)												
	5,000					5,000						
4. Publication Program (04)												
	48,135			472,778		520,913	48,134			475,867		524,001
a. Audit (Line Item)												
				1,374		1,374						
b. Merchandise Authority (Line Item)												
				30,000		30,000				30,000		30,000
c. Milwaukee Mitigation (Line Item)												
			13,500			13,500						
5. Historical Sites Preservation (06)												
	65,551		571,751			637,302	~~63,717~~		~~574,211~~			637,928
							34,632		603,296			
a. Audit (Line Item)												
	768		4,038			4,806						
b. Computers -- Federal (Line Item)												
			11,400			11,400						
Total	1,234,253	104,397	634,081	535,861		2,508,592	~~1,207,248~~	103,279	~~607,594~~	~~530,304~~		~~2,456,425~~
							1,145,663		636,679	541,304		2,426,925

In item 1, $16,221 in fiscal 1992 and $16,181 in fiscal 1993 are to offset vacancy savings that will revert to the general fund if not needed to pay personnel costs during the biennium. The agency has the authority to move these funds between programs by transfer to meet the expenses experienced.

The proprietary authority for a statutorily required transfer of general fund money in the magazine program must be increased by the same amount as the pay plan increase for FTEs supported by the general fund.

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES (6401)												
1. Central Operations Division (10)	1,520,604					1,520,604	~~1,546,713~~ 1,482,646					~~1,546,713~~ 1,482,646
a. Audit (Line Item)	123,438	41,150	8,512	6,838		179,938						
b. Board of Pardons Staff (Line Item)	30,995					30,995	26,910					26,910
c. Information System Enhancement (Line Item)	130,665					130,665	128,024					128,024
2. Corrections Division (20)	21,234,267	1,302,651	155,023	3,077,232		25,769,173	~~20,927,059~~ 20,858,830	~~1,303,227~~ 1,275,882	~~155,056~~ 142,977	3,080,854		~~25,466,196~~ 25,358,543
a. Corrections Medical (Line Item)	1,869,975					1,869,975						
b. Staffing for Additional Capacity (Line Item)	560,823					560,823	759,892					759,892
c. Operating Cost Increases (Line Item)	80,663					80,663	80,663					80,663
d. SRFC Chemical Dependency (Line Item)		38,350				38,350		38,282				38,282
e. Female Population Increase (Line Item)	77,058					77,058	99,214					99,214
f. WCC Additional Staff (Line Item)	43,306					43,306	43,034					43,034
g. Local Jurisdiction Sentencing (Line Item)		17,264				17,264	17,301	17,265				34,566
h. Prerelease Expansion (Line Item)	72,240					72,240	358,145					358,145
i. House Arrest (Line Item)							45,000					45,000
j. Great Falls ISP (Line Item)	105,597					105,597	70,600					70,600
k. Probation and Parole Officer Increase (Line Item)	95,930					95,930	134,526					134,526
l. Jail -- Graduated Sanctions (Line Item)							66,120					66,120
m. Targeted Case Managers (Line Item)	54,244					54,244	54,128					54,128
n. BLSC Operating Increases (Line Item)	3,110					3,110	3,110					3,110
o. New Women's Prerelease Center (Line Item)	40,740					40,740	237,043					237,043
p. Community Prerelease Provider Increases (Line Item)	27,132					27,132	54,807					54,807
q. Gallehon Turner Trial (Line Item)	75,000					75,000						
r. Maximum Disturbance Legal Costs (Line Item)	25,000					25,000						

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
s. Reception Overflow (Line Item)	41,000					41,000						
t. Food Costs (Line Item)	78,782					78,782						
u. Jail Payments -- Parole Violators (Line Item)	66,120					66,120	66,120					66,120
3. Mental Health Division (30)	29,460,517	742,323	1,021,946			31,224,786	~~29,919,438~~ 29,798,231	753,509	1,021,947			~~31,694,894~~ 31,573,687
a. Child and Adolescent Service System Program (Line Item)			13,405			13,405						
b. Federal Data Grant (Line Item)			107,100			107,100			26,775			26,775
c. Service Provider Increases (Line Item)	106,381					106,381	~~214,889~~ 124,466					~~214,889~~ 124,466
d. CFA Additional Staff (Line Item)	36,100					36,100	36,100					36,100
e. Homeless Block Grants (Line Item)			275,000			275,000			275,000			275,000
f. HB 93 -- Utilization Fee on Nursing Facilities (Line Item)	32,370					32,370	64,740					64,740
4. Chemical Dependency Division (40)	226,877	1,556,082	2,032,317			3,815,276	226,877	1,544,395	2,032,298			3,803,570
a. Alternative Chemical Dependency Services (Line Item)			20,817			20,817			41,666			41,666
b. Community Youth Activity-2 (Line Item)			507,276			507,276			15,610			15,610
c. Chemical Dependency Data Grant (Line Item)			65,788			65,788			16,447			16,447
d. HB 93 -- Utilization Fee on Nursing Facilities (Line Item)	16,612					16,612	33,224					33,224
5. Developmental Disability Division (50)	13,724,386	30,227	13,356			13,767,969	~~12,753,705~~ 12,720,979	30,251	2,440			~~12,786,396~~ 12,753,670
a. MDC ICF/MR Certification (Line Item)	89,278					89,278	45,633					45,633
b. Eastmont ICF/MR Certification (Line Item)	136,720					136,720	137,102					137,102
6. Veterans' Nursing Home Division (60)	587,137	1,223,606	851,408			2,662,151	578,781	1,259,167	855,109			2,693,057
a. HB 93 -- Utilization Fee on Nursing Facilities (Line Item)	30,200					30,200	60,400					60,400
Total	70,803,267	4,951,653	5,071,948	3,084,070		83,910,938	~~68,789,290~~ 68,412,646	~~4,946,096~~ 4,918,751	~~4,442,340~~ 4,430,269	3,080,854		~~81,258,596~~ 80,842,520

Contracts negotiated or renegotiated by the department may not extend beyond the end of the 1993 biennium unless they contain the clause "subject to legislative appropriation of funds for this contract".

Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total

If the department is unable to recruit and hire professional positions funded in the appropriation and required for patient treatment and/or certification, it may transfer up to 100% of the aggregate personal services cost of each class of vacant position or the cost of the required contract, whichever is less, to operating expenses for the purpose of contracting for services that would have been provided if that position were filled. The department shall certify to the governor or his designated representative that:

(1) the department is unable to fill the position or positions; and

(2) the services that would be provided by that position if filled and by the proposed contract are necessary for either federal medicaid certification or the treatment requirements of its correctional institutions.

Within the industries operations in item 2, the department may submit budget amendments to hire 1 FTE marketing representative, 2 FTE shop supervisors, and 1 FTE prison industries procurement coordinator if funding is available.

Within the industries training program in item 2, the department may submit budget amendments to hire 1 FTE vehicle maintenance shop supervisor if funding is available.

The department is authorized to maintain a cash balance of not more than $16,000 at the end of each fiscal year in the prison industries training proprietary account. Any funds in excess of $16,000 in the proprietary account are to offset the general fund appropriation.

Item 2a, the corrections medical budget, is a biennial appropriation.

The department shall submit budget amendments for the local jurisdiction sentencing option program in item 2g if federal funding becomes available. The total general fund and state special fund share of the program may not exceed 50% and must revert to the respective funds to the extent that federal funding is less than $35,000.

Item 2m contains $55,276 in fiscal 1992 and $55,158 in fiscal 1993 for two targeted case managers at the prison. In preparing the 1995 biennial budget for legislative consideration, the office of budget and program planning and the legislative fiscal analyst's office may not include the expenditures from the above items in the current level base.

Transfers may be made between line items within the mental health division and the alcohol and drug abuse division (chemical dependency) for the purpose of accurately allocating operating expenses associated with the alcohol and drug programs on the Galen campus upon approval of the governor or his designated representative.

Included in item 3 are $22,492,426 in fiscal 1992 and $22,717,860 in fiscal 1993 for the operation of Montana state hospital. Except for approved transfers to the chemical dependency division for the purpose of accurately allocating operating expenses associated with the alcohol and drug programs on the Galen campus, no more than 5% of these funds may be transferred.

In item 3, the department may transfer appropriation authority from the personal services category to the operating expense category of the mental health division budget upon approval by the governor or his designated representative for costs associated with the Ihler lawsuit and the pilot projects in Kalispell, Missoula, and Butte.

In item 3, the department may transfer appropriation authority from the personal services category to the operating expense category of the mental health division budget upon approval by the governor or his designated representative for costs, up to $1,000,000 for the 1993 biennium, associated with responding to the district court ruling on the Ihler lawsuit.

Included in the appropriation for the Montana state hospital chemical dependency program within item 4 are $1,408,733 in fiscal 1992 and $1,413,201 in fiscal 1993 for the operation of the Galen chemical dependency program. No more than 5% of these funds may be transferred.

The department shall continue to provide acute hospital care, intermediate nursing care, and chemical dependency services at the Montana state hospital at Warm Springs and Galen without significant changes in the program at either campus, except for approved changes on the Warm Springs campus to implement the district court ruling on the Ihler lawsuit.

In item 5, the department may transfer appropriation authority from the personal services category to the operating expense category of the Montana developmental center budget upon approval of the governor or his designated representative if the downsizing does not take place on schedule.

TOTAL SECTION D											
73,299,417	5,576,701	8,804,715	3,619,931		91,300,764	~~70,969,859~~	~~5,660,356~~	~~5,643,007~~	~~3,619,158~~		~~85,892,380~~
						70,313,996	5,633,011	5,660,013	3,622,158		85,229,178

	Fiscal 1992						Fiscal 1993					
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
E. EDUCATION												
University units are defined in 17-7-102(16). For all university units, except the office of the commissioner of higher education, all funds, other than plant funds appropriated in Chapter 774, Laws of 1991, relating to long-range building, and current unrestricted operating funds, are appropriated contingent upon approval of the comprehensive program budget by the board of regents by October 1 of each year. The budget must contain detailed revenue and expenditures and anticipated fund balances of current funds, loan funds, endowment funds, and plant funds. All movement of funds between the current unrestricted subfund and the designated subfund account entities must be clearly identified in the state budgeting and accounting system.												
Programs for the university units' budgets, except the office of the commissioner of higher education, include instruction, organized research, public service, academic support, student services, institutional support, operation and maintenance of plant, and scholarships and fellowships.												
All university units, except the office of the commissioner of higher education, shall account for expenditures consistently within programs and funds across all units and shall use the national center for higher education management systems program classification structure, along with the college and university business administration (CUBA) system, as a minimum standard for achieving consistency.												
Any tuition added through budget amendment in fiscal 1992 and fiscal 1993 may, in the discretion of the board of regents, be distributed among agencies of the Montana university system with the following restriction: tuitions may not be budget amended either directly or indirectly to increase the budget of the office of the commissioner of higher education.												
The general fund reduction to the Montana university system is not contingent on or tied to any action concerning the operation of state liquor stores.												
The legislature recommends that the reductions in higher education system units budgets be reductions in expenses and specifically requests that the board of regents not increase tuition charges to compensate for budget cuts.												
The legislature recommends that reductions be made in duplicated programs, in- and out-of-state travel, delays in new programs, and nonself-supporting athletics programs.												
The legislature recommends that no reductions be made in library expenditures at any of the units of the Montana university system in response to budget reductions made in the July 1992 special session.												
OFFICE OF PUBLIC INSTRUCTION (3501)												
1. Administration (06)	3,226,901	388,021	4,248,382	904,728		8,768,032	~~3,159,868~~ 3,111,560	381,305	4,089,022	887,460		~~8,517,655~~ 8,469,347
a. Audit (Line Item)				52,087		52,087						
2. Distribution to Schools (09)												
a. Special Education (Line Item)	32,845,797					32,845,797	32,845,797					32,845,797
b. Special Education Contingency -- Biennial (Line Item)	2,031,163					2,031,163						
c. Transportation (Line Item)	6,483,120	3,908,166				10,391,286	~~6,493,558~~ 5,693,558	3,914,457				~~10,408,015~~ 9,608,015
d. School Lunch (Line Item)	599,397					599,397	599,397					599,397
e. Gifted and Talented (Line Item)	276,000					276,000	276,000					276,000
f. Secondary Vocational Education -- Biennial (Line Item)	1,656,000					1,656,000						
g. Adult Education (Line Item)	250,000					250,000	250,000					250,000
h. Impact Aid (Line Item)	4,600					4,600	4,600					4,600
i. Education of the Handicapped -- Part B Biennial (Line Item)			1,356,000			1,356,000						
j. Job Training Partnership Act -- Biennial (Line Item)			1,017,200			1,017,200						

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
k. Adult Basic Education -- Biennial (Line Item)	1,198,000					1,198,000						
l. McKinney Homeless Act -- Biennial (Line Item)	140,400					140,400						
m. Preschool Incentive -- Biennial (Line Item)	230,000					230,000						
n. Vocational Education -- Biennial (Line Item)	5,000,000					5,000,000						
o. English Literacy -- Biennial (Line Item)	25,000					25,000						
p. Education of the Handicapped -- Part D Biennial (Line Item)	45,000					45,000						
q. Chapter 1 -- Biennial (Line Item)	180,000					180,000						
r. Section 20-9-351 Supplemental Funding -- Biennial (Line Item)	24,130,000					24,130,000						
Total	71,816,802	4,378,187	13,439,982	956,815		90,591,786	43,~~807,770~~ 42,959,470	4,295,762	4,089,022	887,460		53,~~080,022~~ 52,231,714

Item 1 includes $81,564 in fiscal 1992 and $81,810 in fiscal 1993 in the state special revenue fund from the traffic safety account for motorcycle safety.

The legislature approved the addition of 0.5 FTE from the federal national origins grant and 0.5 FTE from the federal school foods grant. These funds are in item 1.

Included in item 1 is a biennial appropriation of $136,000 from the general fund and $82,000 from the state special revenue fund for audiology services.

The superintendent of public instruction may use any unexpended general fund appropriation, excluding item 2r, school equalization supplemental funding, in distributions to schools, program 09, to restore the appropriations for special education contingency, gifted and talented, secondary vocational education, and out-of-district placements up to but not exceeding the amount authorized by Chapter 815 and Chapter 765, Laws of 1991. Any unexpended appropriation balances in fiscal 1992 in items 2a through 2h may be carried in and expended in fiscal 1993.

Item 2b is a biennial appropriation. This appropriation is for unforeseen expenses that may arise in special education programs in local districts. A district board of trustees may apply for an allocation from these funds by presenting to the superintendent of public instruction, for each child, a child-study (CST) report and an individual education plan (IEP) relating to this unforeseen expense or, if the need for additional personnel is due to caseload excess, a board of trustees' verification of completed IEPs and CSTs. In addition, a current listing of programs, caseloads, and related costs must be submitted. Contingency funds may be awarded for positions that have gone unfilled for an entire school year and for which regular state special education funds were not awarded. The agency may transfer any unused balance in this appropriation into the special education appropriation in item 2a.

Item 2c includes a reduction of $800,000 in the fiscal 1993 general fund appropriation. This reduction is contingent on the passage and approval of legislation reducing the state share of special education transportation from 100% to 50%. If this legislation is not enacted, the fiscal 1993 general fund transportation appropriation is restored to $6,493,558.

Item 2f is a biennial appropriation.

Items 2i through 2r are biennial appropriations.

All revenue received in the state traffic education account under the provisions of 20-7-504, is appropriated as provided in Title 20, chapter 7, part 5.

BILLINGS VOCATIONAL-TECHNICAL CENTER (3511)

1. General Operations (01,07,44)	1,213,990	682,386	1,896,376	1,198,920			688,861	1,887,781
a. Audit (Line Item)	25,570		25,570					
2. Budget Reduction	9,773		9,773	81,545				81,545
3. Budget Reduction II				49,027				49,027

Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
Total											
1,229,787				682,386	1,912,173	~~1,117,375~~				688,861	~~1,806,236~~
						1,068,348					1,757,209

Total audit costs are estimated to be $28,412 for the biennium. Ten percent of these costs must be paid from funds other than those appropriated in items 1 and 1a.

~~Item 2 reduces~~ Items 2 and 3 reduce the Billings vocational-technical center's total general fund appropriation. The Billings vocational-technical center, with the approval of the approving authority, as defined in 17-7-102, shall determine the proportional share of the amount to be applied to each program and reduce that program's appropriation accordingly.

BUTTE VOCATIONAL-TECHNICAL CENTER (3512)

1. General Operations (01,07,44)											
1,432,620				351,978	1,784,598	1,463,460				353,473	1,816,933
a. Audit (Line Item)											
26,992					26,992						
2. Budget Reduction											
11,343					11,343	87,478					87,478
3. Budget Reduction II											
						58,917					58,917
Total											
1,448,269				351,978	1,800,247	~~1,375,982~~				353,473	~~1,729,455~~
						1,317,065					1,670,538

Total audit costs are estimated to be $29,990 for the biennium. Ten percent of these costs must be paid from funds other than those appropriated in items 1 and 1a.

~~Item 2 reduces~~ Items 2 and 3 reduce the Butte vocational-technical center's total general fund appropriation. The Butte vocational-technical center, with the approval of the approving authority, as defined in 17-7-102, shall determine the proportional share of the amount to be applied to each program and reduce that program's appropriation accordingly.

GREAT FALLS VOCATIONAL-TECHNICAL CENTER (3513)

1. General Operations (01,07,44)											
1,552,944				631,385	2,184,329	1,586,011				634,024	2,220,035
a. Audit (Line Item)											
25,570					25,570						
2. Budget Reduction											
12,520					12,520	110,576					110,576
3. Budget Reduction II											
						64,767					64,767
Total											
1,565,994				631,385	2,197,379	~~1,475,435~~				634,024	~~2,109,459~~
						1,410,668					2,044,692

Total audit costs are estimated to be $28,412 for the biennium. Ten percent of these costs must be paid from funds other than those appropriated in items 1 and 1a.

~~Item 2 reduces~~ Items 2 and 3 reduce the Great Falls vocational-technical center's total general fund appropriation. The Great Falls vocational-technical center, with the approval of the approving authority, as defined in 17-7-102, shall determine the proportional share of the amount to be applied to each program and reduce that program's appropriation accordingly.

HELENA VOCATIONAL-TECHNICAL CENTER (3514)

1. General Operations (01,07,44)											
1,998,352				549,089	2,547,441	1,948,771				551,207	2,499,978
a. Audit (Line Item)											

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
	26,992					26,992						
2. Budget Reduction	15,788					15,788	115,834					115,834
3. Budget Reduction II							79,040					79,040
Total	2,009,556				549,089	2,558,645	~~1,032,937~~ 1,753,897				551,207	~~2,384,144~~ 2,305,104

Total audit costs are estimated to be $29,990 for the biennium. Ten percent of these costs must be paid from funds other than those appropriated in items 1 and 1a.

~~Item 2 reduces~~ Items 2 and 3 reduce the Helena vocational-technical center's total general fund appropriation. The Helena vocational-technical center, with the approval of the approving authority, as defined in 17-7-102, shall determine the proportional share of the amount to be applied to each program and reduce that program's appropriation accordingly.

MISSOULA VOCATIONAL-TECHNICAL CENTER (3515)

1. General Operations (01,07,44)	2,031,178				666,617	2,697,795	1,952,924				670,365	2,623,289
a. Audit (Line Item)	22,728					22,728						
2. Budget Reduction	16,101					16,101	114,410					114,410
3. Budget Reduction II							80,600					80,600
Total	2,037,805				666,617	2,704,422	~~1,830,514~~ 1,757,914				670,365	~~2,508,879~~ 2,428,279

Total audit costs are estimated to be $25,254 for the biennium. Ten percent of these costs must be paid from funds other than those appropriated in items 1 and 1a.

~~Item 2 reduces~~ Items 2 and 3 reduce the Missoula vocational-technical center's total general fund appropriation. The Missoula vocational-technical center, with the approval of the approving authority, as defined in 17-7-102, shall determine the proportional share of the amount to be applied to each program and reduce that program's appropriation accordingly.

The commissioner of higher education may transfer county millage collections among the centers. Total revenue received from the 1.5-mill levy that exceeds $965,005 in fiscal 1992 and $981,480 in fiscal 1993 is appropriated to the office of the commissioner of higher education for distribution to the vocational-technical centers and must be added by budget amendment by the board of regents in a manner so as to offset reductions in vocational-technical center appropriations in [this act] from the levels contained in The General Appropriations Act of 1991 and acts supplementary thereto.

It is the intent of the legislature that the board of regents have additional appropriation flexibility to operate the vocational-technical centers during the 1993 biennium. Therefore, the legislature has approved for each vocational-technical center a single appropriation for its general operations. The appropriation for each postsecondary vocational-technical center listed above is for the following programs: instruction, academic support, student services, institutional support, and operation and maintenance of plant. The vocational-technical centers are exempt from [section 2], which requires personal services line items.

It is further the intent of the legislature that all fiscal matters pertaining to the postsecondary vocational-technical centers during the 1993 biennium and the 1995 biennium budget request be recorded, maintained, and submitted, using the college and university business administration (CUBA) fund structure and functional expenditure classifications.

BOARD OF PUBLIC EDUCATION (5101)

1. Administration (01)	107,677	6,509				114,186	104,458	6,509				110,967
a. Audit (Line Item)	1,264					1,264						
2. Advisory Council (03)												

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
		71,665				71,665		71,527				71,527
a. Audit (Line Item)		1,262				1,262						
Total	108,941	79,436				188,377	104,458	78,036				182,494
COMMISSIONER OF HIGHER EDUCATION (5102)												
1. Administration Program (01)	864,771					864,771	853,079					853,079
a. Audit (Line Item)	20,519					20,519						
b. Regents Employee Reporting System (Line Item)	121,053					121,053	107,424					107,424
2. Student Assistance Program (02)	4,788,611		280,000			5,068,611	4,854,262		280,000			5,134,262
a. Increased Supplemental Educational Opportunity Grant Match (Line Item)	63,590					63,590	63,590					63,590
b. Increased Perkins Loan Match (Line Item)	36,270					36,270	36,270					36,270
c. State Work Study -- Minimum Wage Increase (Line Item)	105,203					105,203	105,203					105,203
3. Dwight D. Eisenhower Mathematics and Science Education Act (03)			249,842			249,842			249,842			249,842
4. Community College Assistance (04)	3,785,966					3,785,966	4,215,246					4,215,246
a. Audit (Line Item)	29,890					29,890						
5. Montana University System Group Insurance Program (05)				13,760,131		13,760,131				16,044,208		16,044,208
a. Group Insurance Additional Costs (Line Item)				139,801		139,801				140,249		140,249
6. Talent Search (06)			188,829			188,829			188,315			188,315
a. Talent Search Additional Federal Funds (Line Item)			48,793			48,793			48,792			48,792
7. Carl D. Perkins Administration (08)	92,966		5,115,331			5,208,297	76,970		5,098,843			5,175,813
8. Guaranteed Student Loan Program (12)			1,409,410			1,409,410			1,408,634			1,408,634
a. Audit (Line Item)			6,630			6,630						
b. Guaranteed Student Loan Additional Workload (Line Item)			232,694			232,694			232,691			232,691
c. Supplemental Preclaims Unit (Line Item)			43,446			43,446			43,348			43,348
9. Board of Regents -- Administration (13)	32,854					32,854	32,863					32,863
10. Board of Regents Bond Payments (14)	706,255					706,255	698,153					698,153

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
11. Vocational-Technical Center Administration (15)	96,575					96,575	96,338					96,338
a. Vocational-Technical Center Contingency (Line Item)	150,000					150,000						
12. Budget Reduction -- Commissioner of Higher Education	362,913					362,913	153,920					153,920
13. Budget Reduction -- Community Colleges	152,634					152,634	152,634					152,634
14. Tuition Increase											5,178,760	5,178,760
15. Budget Reduction II -- Commissioner of Higher Education							53,952					53,952
16. Budget Reduction II -- Community Colleges							162,504					162,504
Total	10,378,976		7,574,975	13,899,932		31,853,883	~~10,832,844~~ 10,616,388		7,550,465	16,184,457	5,178,760	~~39,746,526~~ 39,530,070

Item 2 includes $68,400 general fund in fiscal 1992 and $114,000 general fund in fiscal 1993 for three new medical student WICHE slots in fiscal 1992 and three continuing medical student WICHE slots and 2 new medical student WICHE slots in fiscal 1993.

The appropriation in item 4 provides 51% and 55% of the total unrestricted budgets for the community colleges in fiscal 1992 and fiscal 1993, respectively. The total unrestricted budgets for the community colleges must be approved by the board of regents.

The general fund appropriation for each community college includes 49% of the total audit cost. The remaining 51% of these costs are to be paid from funds other than those appropriated in items 4 and 4a. Audit costs may not exceed $18,000 each for Dawson and Miles community colleges and $25,000 for Flathead Valley community college for the biennium.

Item 11a is a biennial appropriation.

Items 12, and 13, 15, and 16 reduce the commissioner of higher education's total general fund appropriation. The commissioner of higher education, with the approval of the approving authority, as defined in 17-7-102, shall determine the proportional share of the amount to be applied to each program and reduce that program's appropriation accordingly.

Item 14 is additional spending authority for tuition revenue. This tuition may, in the discretion of the board of regents, be distributed among agencies of the Montana university system with the following restriction: all tuition revenue must be distributed to agencies other than the office of the commissioner of higher education. It is the intent of the 52nd legislature that the board of regents increase total tuition and fee charges at the six university units by no more than $7 per credit hour for resident students and $47 per credit hour for nonresident students, which is the equivalent of the difference between charges at Montana state university and the university of Montana and the average of their peer institutions.

UNIVERSITY OF MONTANA (5103)

1. Instruction (01)	15,528,473			9,107,802		24,636,275	~~15,504,308~~ 14,986,881				~~9,148,531~~ 9,665,958	24,652,839
2. Organized Research (02)	631,517					631,517	632,053					632,053
a. Bureau of Business and Economic Research (Line Item)	30,000					30,000						
3. Public Service (03)	306,560					306,560	426,596					426,596
4. Operation and Maintenance of Plant (07)	5,476,334					5,476,334	5,524,124					5,524,124
5. Scholarships and Fellowships (08)				1,228,074		1,228,074					1,228,074	1,228,074
6. Support (44)												

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
	6,762,601				5,342,998	12,105,599	6,777,328				5,384,625	12,161,953
a. Audit (Line Item)	55,244					55,244						
b. Minimum Wage (Line Item)	73,740					73,740	73,740					73,740
c. Library Books (Line Item)	281,715					281,715						
d. Regents' Employee Reporting System (Line Item)	25,766					25,766	25,766					25,766
7. Budget Reduction	451,183					451,183	2,672,011					2,672,011
8. Budget Reduction II							1,112,503					1,112,503
Total	28,720,767				15,678,874	44,399,641	~~26,291,904~~ 24,661,974				~~15,761,230~~ 16,278,657	~~42,053,134~~ 40,940,631

Total audit costs are estimated to be $110,488 for the biennium. Fifty percent of these costs must be paid from funds other than those appropriated in items 1 through 6.

Item 1 contains $130,000 from the general fund in fiscal 1992 and $130,000 from the general fund in fiscal 1993 for the university of Montana pharmacy school over and above the amount generated by the funding formula for the school of pharmacy. Any grant and donation made to the university of Montana for the express purpose of maintaining accreditation at the school of pharmacy may not reduce funds otherwise allocated from the current unrestricted fund. It is the intent of the legislature that the current unrestricted budget allocation by the university of Montana to the school of pharmacy not be reduced. It is the further intent of the legislature that these additional funds become part of the current level base budget for the university of Montana and be included in the 1995 biennium current level budget analysis prepared by the office of the legislative fiscal analyst and presented to the 53rd legislature.

Items 2a and 6c are biennial appropriations.

~~Item 7 reduces~~ Items 7 and 8 reduce the university of Montana's total general fund appropriation. The university of Montana, with the approval of the approving authority, as defined in 17-7-102, shall determine the proportional share of the amount to be applied to each program and reduce that program's appropriation accordingly.

MONTANA STATE UNIVERSITY (5104)

1. Instruction (01)	20,084,648				9,687,288	29,771,936	~~20,608,791~~ 20,033,758				~~9,731,683~~ 10,306,716	30,340,474
a. Nursing	313,388					313,388	584,443					584,443
b. NSF Mathematics Grant Match -- Biennial (Line Item)	1,000,000					1,000,000						
2. Organized Research (02)	594,926					594,926	594,947					594,947
3. Public Service (03)	260,362					260,362	360,362					360,362
4. Operation and Maintenance of Plant (07)	5,978,306					5,978,306	6,042,058					6,042,058
5. Scholarships and Fellowships (08)					1,327,730	1,327,730					1,327,730	1,327,730
6. Support (44)	8,034,029				5,668,827	13,702,856	8,047,841				5,715,957	13,763,798
a. Audit (Line Item)	55,244					55,244						
b. Minimum Wage (Line Item)												

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
	75,232					75,232	75,232					75,232
c. Library Books (Line Item)	321,683					321,683						
d. Regents' Employee Reporting System (Line Item)	28,580					28,580	28,580					28,580
7. Budget Reduction	553,260					553,260	2,870,909					2,870,909
8. Budget Reduction II							1,415,113					1,415,113
Total	36,193,138				16,683,845	52,876,983	~~33,471,345~~ 31,481,199				~~16,775,370~~ 17,350,403	~~50,246,715~~ 48,831,602

Total audit costs are estimated to be $110,488 for the biennium. Fifty percent of these costs must be paid from funds other than those appropriated in items 1 through 6.

Item 1b is a biennial appropriation and is contingent on the receipt of the national science foundation mathematics grant being awarded to Montana.

Item 6c is a biennial appropriation.

~~Item 7 reduces~~ Items 7 and 8 reduce Montana state university's total general fund appropriation. Montana state university, with the approval of the approving authority, as defined in 17-7-102, shall determine the proportional share of the amount to be applied to each program and reduce that program's appropriation accordingly.

MONTANA COLLEGE OF MINERAL SCIENCE AND TECHNOLOGY (5105)

1. Instruction (01)	3,417,769				2,035,482	5,453,251	~~3,411,274~~ 3,320,949				~~2,043,500~~ 2,133,825	5,454,774
2. Organized Research (02)	41,300					41,300	41,415					41,415
3. Operation and Maintenance of Plant (07)	1,545,483					1,545,483	1,557,023					1,557,023
4. Scholarships and Fellowships (08)					201,561	201,561					201,561	201,561
5. Support (44)	2,279,062				468,393	2,747,455	2,282,457				474,752	2,757,209
a. Audit (Line Item)	49,721					49,721						
b. Minimum Wage (Line Item)	35,041					35,041	35,041					35,041
c. Library Books (Line Item)	51,805					51,805						
d. Regents' Employee Reporting System (Line Item)	8,993					8,993	8,993					8,993
6. Budget Reduction	116,122					116,122	510,299					510,299
7. Budget Reduction II							293,869					293,869
Total	7,313,052				2,705,436	10,018,488	~~6,825,904~~ 6,441,710				~~2,719,813~~ 2,810,138	~~9,545,717~~ 9,251,848

Total audit costs are estimated to be $66,294 for the biennium. Twenty-five percent of these costs must be paid from funds other than those appropriated in items 1 through 5.

Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
Item 5c is a biennial appropriation.											
~~Item 6 reduces~~ Items 6 and 7 reduce the Montana college of mineral science and technology's total general fund appropriation. The Montana college of mineral science and technology, with the approval of the approving authority, as defined in 17-7-102, shall determine the proportional share of the amount to be applied to each program and reduce that program's appropriation accordingly.											
EASTERN MONTANA COLLEGE (5106)											
1. Instruction (01)											
3,232,818				4,979,980	8,212,798	~~3,095,181~~				~~5,004,703~~	8,099,884
						2,893,079				5,206,805	
2. Public Service (03)											
253,236					253,236	254,033					254,033
3. Operation and Maintenance of Plant (07)											
2,184,624					2,184,624	2,204,427					2,204,427
a. Apsaruke Hall Utilities (Line Item)											
10,000					10,000	10,000					10,000
b. Billings SID (Line Item)											
10,503					10,503	6,024					6,024
4. Scholarships and Fellowships (08)											
				382,715	382,715					382,715	382,715
5. Support (44)											
5,027,976				117,382	5,145,358	5,025,779				124,827	5,150,606
a. Audit (Line Item)											
52,088					52,088						
b. Minimum Wage (Line Item)											
35,563					35,563	35,563					35,563
c. Library Books (Line Item)											
112,965					112,965						
d. Regents' Employee Reporting System (Line Item)											
14,608					14,608	14,608					14,608
6. Budget Reduction											
170,082					170,082	855,491					855,491
7. Budget Reduction II											
						418,641					418,641
Total											
10,764,299				5,480,077	16,244,376	~~9,790,124~~				~~5,512,245~~	~~15,302,369~~
						9,169,381				5,714,347	14,883,728

Total audit costs are estimated to be $69,450 for the biennium. Twenty-five percent of these costs must be paid from funds other than those appropriated in items 1 through 5.

Item 3a is for utilities expense at Apsaruke hall only. Any unused funds revert to the general fund at the end of each fiscal year.

Item 5c is a biennial appropriation.

~~Item 6 reduces~~ Items 6 and 7 reduce eastern Montana college's total general fund appropriation. Eastern Montana college, with the approval of the approving authority, as defined in 17-7-102, shall determine the proportional share of the amount to be applied to each program and reduce that program's appropriation accordingly.

NORTHERN MONTANA COLLEGE (5107)

1. Instruction (01)											
2,505,437				2,011,170	4,516,607	~~2,764,317~~				~~1,752,290~~	4,516,607
						2,669,051				1,847,556	
2. Public Service (03)											
				8,891	8,891					8,891	8,891
3. Operation and Maintenance of Plant (07)											

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
	1,166,288					1,166,288	1,177,153					1,177,153
4. Scholarships and Fellowships (08)					278,375	278,375					278,375	278,375
5. Support (44)	2,312,971				193,409	2,506,380	2,046,279				467,452	2,513,731
a. Audit (Line Item)	42,617					42,617						
b. Minimum Wage (Line Item)	39,730					39,730	39,730					39,730
c. Library Books (Line Item)	53,234					53,234						
d. Regents' Employee Reporting System (Line Item)	9,050					9,050	9,050					9,050
6. Budget Reduction	96,194					96,194	387,812					387,812
7. Budget Reduction II							244,841					244,841
Total	6,033,133				2,491,845	8,524,978	~~5,648,717~~ 5,308,610				~~2,507,008~~ 2,602,274	~~8,155,725~~ 7,910,884

Total audit costs are estimated to be $56,823 for the biennium. Twenty-five percent of these costs must be paid from funds other than those appropriated in items 1 through 5.

Item 5c is a biennial appropriation.

~~Item 6 reduces~~ Items 6 and 7 reduce northern Montana college's total general fund appropriation. Northern Montana college, with the approval of the approving authority, as defined in 17-7-102, shall determine the proportional share of the amount to be applied to each program and reduce that program's appropriation accordingly.

WESTERN MONTANA COLLEGE OF THE UNIVERSITY OF MONTANA (5108)

1. Instruction (01)	1,531,128				1,027,650	2,558,778	~~1,526,351~~ 1,473,506				~~1,033,343~~ 1,086,188	2,559,694
2. Operation and Maintenance of Plant (07)	738,270					738,270	743,101					743,101
3. Scholarships and Fellowships (08)					89,683	89,683					89,683	89,683
4. Support (44)	1,119,120				353,405	1,472,525	1,119,456				356,123	1,475,579
a. Audit (Line Item)	43,802					43,802						
b. Minimum Wage (Line Item)	38,507					38,507	38,507					38,507
c. Library Books (Line Item)	31,158					31,158						
d. Regents' Employee Reporting System (Line Item)	8,865					8,865	8,865					8,865
5. Budget Reduction	55,504					55,504	250,655					250,655
6. Budget Reduction II							140,018					140,018

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
Total	3,455,346				1,470,738	4,926,084	~~3,185,625~~ 2,992,762				~~1,479,149~~ 1,531,994	~~4,664,774~~ 4,524,756

Total audit costs are estimated to be $58,402 for the biennium. Twenty-five percent of these costs must be paid from funds other than those appropriated in items 1 through 4.

Item 4c is a biennial appropriation.

~~Item 5 reduces~~ Items 5 and 6 reduce western Montana college's total general fund appropriation. Western Montana college, with the approval of the approving authority, as defined in 17-7-102, shall determine the proportional share of the amount to be applied to each program and reduce that program's appropriation accordingly.

~~Included within current unrestricted funds (contained in the "other" fund column) to the six university units is the sum of $11,887,000 in fiscal 1992 and $12,131,000 in fiscal 1993 from revenue generated under the provisions of 20-25-423. The department of revenue shall levy the full 6 mills as authorized in 20-25-423. Revenue received by the university system under the provisions of 20-25-423 that exceeds $11,887,000 in fiscal 1992 and $12,131,000 in fiscal 1993 is appropriated to the office of the commissioner of higher education for distribution to the university system and must be added by budget amendment by the board of regents in a manner so as to offset reductions in the university system appropriations in [this act] from the levels contained in The General Appropriations Act of 1991 and acts supplementary thereto.~~

It is understood by the 52nd legislature that the appropriations contained in [this act] for the six university units may result in the board of regents electing to limit or reduce enrollment during fiscal 1992 and fiscal 1993. It is the intent of the 52nd legislature that if actual enrollments during the 1993 biennium are fewer than the budgeted number of student full-time equivalents for the 1993 biennium, systemwide or by unit, the legislative fiscal analyst shall present to the 53rd legislature a current level budget for the six units, systemwide and by unit, no lower than the budgeted amount for the 1993 biennium.

It is understood by the 52nd legislature that shortfalls in student tuition due to enrollment declines may be presented to the 53rd legislature for a supplemental appropriation. These tuition shortfalls are not expected to be made up by per-student full-time equivalent tuition increases.

The 52nd legislature intends for the Montana university system to be subject to the personal services line item requirements contained in [section 2, Chapter 815, Laws of 1991, as amended by [this act]]. The dollar amount of the personal services line item is equal to the following:

(1) For the research, public service, and plant programs, the line item amount is equal to the personal services amount contained in table 3 of the Montana university system budget narrative accompanying [this act].

(2) For the instruction program, the line item amount is equal to the personal services amount identified on the original regents'-approved operating budget each fiscal year but may be no less than the faculty compensation amount contained in table 3 of the Montana university system budget narrative accompanying [this act].

(3) For the support program, the line item amount is equal to the personal services amount identified on the original regents'-approved operating budget each fiscal year.

It is further the intent of the 52nd legislature that the original budgeted personal services by program on the regents' employee reporting system each fiscal year equal the original regents'-approved operating budget by program.

AGRICULTURAL EXPERIMENT STATION (5109)

1.	Organized Research (02)										
	7,278,082			2,127,376	9,405,458	7,278,043				2,127,056	9,405,099
	a. Biological Weed Control (Line Item)										
	60,000				60,000	80,572					80,572
2.	Livestock and Range Research Station (15)										
				389,344	389,344					374,295	374,295
3.	Budget Reduction										
	117,419				117,419	214,819					214,819
4.	Budget Reduction II										
						314,380					314,380
Total	7,220,663			2,516,720	9,737,383	~~7,143,796~~ 6,829,416				2,501,351	~~9,645,147~~ 9,330,767

~~Item 3 reduces~~ Items 3 and 4 reduce the agricultural experiment station's total general fund appropriation. The agricultural experiment station, with the approval of the approving authority, as defined in 17-7-102, shall determine the proportional share of the amount to be applied to each program and reduce that program's appropriation accordingly.

COOPERATIVE EXTENSION SERVICE (5110)

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
1. Public Service (03)	2,778,004				1,987,347	4,765,351	2,769,940				1,987,404	4,757,344
2. Budget Reduction	44,746					44,746	82,408					82,408
3. Budget Reduction II							121,134					121,134
Total	2,733,258				1,987,347	4,720,605	~~2,687,532~~ 2,566,398				1,987,404	~~4,674,936~~ 4,553,802

~~Item 2 reduces~~ Items 2 and 3 reduce the cooperative extension service's total general fund appropriation. The cooperative extension service, with the approval of the approving authority, as defined in 17-7-102, shall determine the proportional share of the amount to be applied to each program and reduce that program's appropriation accordingly.

FORESTRY AND CONSERVATION EXPERIMENT STATION (5111)

	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
1. Research (02)	711,138					711,138	711,940					711,940
2. Budget Reduction	11,068					11,068	36,536					36,536
3. Budget Reduction II							28,720					28,720
Total	700,070					700,070	~~675,404~~ 646,684					~~675,404~~ 646,684

~~Item 2 reduces~~ Items 2 and 3 reduce the forestry and conservation experiment station's total general fund appropriation. The forestry and conservation experiment station, with the approval of the approving authority, as defined in 17-7-102, shall determine the proportional share of the amount to be applied to each program and reduce that program's appropriation accordingly.

BUREAU OF MINES (5112)

	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
1. Bureau of Mines (11)	1,288,493				46,410	1,334,903	1,289,384				46,411	1,335,795
2. Budget Reduction	20,054					20,054	20,172					20,172
3. Budget Reduction II							53,996					53,996
Total	1,268,439				46,410	1,314,849	~~1,269,212~~ 1,215,216				46,411	~~1,315,623~~ 1,261,627

~~Item 2 reduces~~ Items 2 and 3 reduce the bureau of mines' total general fund appropriation. The bureau of mines, with the approval of the approving authority, as defined in 17-7-102, shall determine the proportional share of the amount to be applied to each program and reduce that program's appropriation accordingly.

SCHOOL FOR THE DEAF AND BLIND (5113)

	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
1. Administration Program (01)	197,895					197,895	198,322					198,322
a. Audit (Line Item)	20,519					20,519						
2. General Services Program (02)	251,213					251,213	243,044					243,044
3. Student Services (03)	763,095		34,282			797,377	745,289		34,247			779,536

	Fiscal 1992 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	Fiscal 1993 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
4. Education (04)	1,297,179	190,000	131,200			1,618,379	1,295,205	190,000	131,200			1,616,405
a. Supervising Teacher (Line Item)	33,249					33,249	33,256					33,256
5. Budget Reduction (Line Item)							57,353					57,353
Total	2,563,150	190,000	165,482			2,918,632	~~2,515,116~~ 2,457,763	190,000	165,447			~~2,870,563~~ 2,813,210
MONTANA COUNCIL ON VOCATIONAL EDUCATION (5116)												
1. Administration Program (01)			135,578			135,578			135,650			135,650
a. Audit (Line Item)			4,104			4,104						
b. Increased Federal Funding (Line Item)			30,000			30,000			30,000			30,000
Total			169,682			169,682			165,650			165,650
FIRE SERVICES TRAINING SCHOOL (5119)												
1. Fire Services Training School (01)	236,279					236,279	219,064					219,064
a. Audit (Line Item)	2,525					2,525						
2. Budget Reduction	3,818					3,818	6,442					6,442
3. Budget Reduction II							9,527					9,527
Total	234,986					234,986	~~212,622~~ 203,095					~~212,622~~ 203,095

The fire services training school must be provided office, classroom, and storage space in the Great Falls vocational-technical center at no charge.

~~Item 2 reduces~~ Items 2 and 3 reduce the fire services training school's total general fund appropriation. The fire services training school, with the approval of the approving authority, as defined in 17-7-102, shall determine the proportional share of the amount to be applied to each program and reduce that program's appropriation accordingly.

TOTAL SECTION E	197,796,431	4,647,623	21,350,121	14,856,747	51,942,747	290,593,669	~~162,102,624~~ 154,962,416	4,563,798	11,970,584	17,071,917	~~57,366,671~~ 58,899,669	~~253,075,594~~ 247,468,384
TOTAL STATE FUNDING	482,147,469	281,411,610	606,326,156	216,646,146	54,911,330	1,641,442,711	~~438,123,204~~ 429,789,087	~~268,708,257~~ 270,054,294	~~597,371,479~~ 596,905,920	~~224,634,134~~ 224,637,134	~~59,960,110~~ 61,493,108	~~1,588,797,184~~ 1,582,879,543""

Section 2. Section 2, Chapter 13, Special Laws of January 1992, is amended to read:

"Section 2. Section 9, Chapter 526, Laws of 1991, is amended to read:

"Section 9. Appropriation. There is appropriated for the biennium ending June 30, 1993, ~~$21,710~~ $26,710 for travel costs, ~~and~~ per diem, and ~~administrative support costs and $40,000 for consultant costs~~ committee expenses from the general fund to the office of the legislative fiscal analyst for use by the joint committee on postsecondary education policy and budget.""

Section 3. Section 11, Chapter 13, Special Laws of January 1992, is amended to read:

"Section 11. Section 6, Chapter 774, Laws of 1991, is amended to read:

"Section 6. Capital projects appropriations. (1) The following money is appropriated for the indicated capital projects from the indicated sources to the department of administration, which is authorized to transfer the appropriated money among the necessary fund types for these projects:

Agency/Project	LRBPF	Other Funding Sources	
DEPARTMENT OF ADMINISTRATION			
Hazardous Material Abatement, Statewide	$ 594,625	$ 150,000	Auxiliary
State Building Energy Retrofit, Statewide		500,000	Nonstate State Special Revenue
		1,000,000	Federal Special Revenue
		500,000	Auxiliary or Other
Construction, Litigation, Architecture and Engineering Division		345,000	
Develop Alternate Water Supply, Capitol Complex		50,000	Proprietary Funds
Property Acquisition and Development, Capitol Complex		20,000	Capitol Land Grant
DEPARTMENT OF COMMERCE			
Improve Pavement and Lighting, Yellowstone Airport		51,773	Proprietary Funds
		465,957	Federal Special Revenue
DEPARTMENT OF EDUCATION			
Replace Academic Building Roof and Miscellaneous Repairs, Montana School for the Deaf and Blind	339,000		
DEPARTMENT OF FAMILY SERVICES			
Expand Security Fence, Pine Hills School	27,000		
Replace and Repair Roofs, Family Services	127,600		
DEPARTMENT OF FISH, WILDLIFE, AND PARKS			
Remove Underground Storage Tanks, Statewide		150,000	State Special Revenue
Headquarters Maintenance and Improvements, Statewide		85,000	State Special Revenue
Department Property Development, Statewide		360,000	State Special Revenue
State Park Maintenance and Development, Statewide		3,798,500	State Special Revenue
		1,124,500	Federal Special Revenue
Fish Hatchery Maintenance, Statewide		37,500	State Special Revenue
		112,500	Federal Special Revenue
Fishing Access Site Improvements, Statewide		286,000	State Special Revenue
		858,000	Federal Special Revenue
Motorboat Access Facilities, Statewide		67,000	State Special Revenue
		201,000	Federal Special Revenue
Wildlife Habitat Maintenance, Statewide		304,000	State Special Revenue
Waterfowl Habitat Enhancement, Statewide		349,500	State Special Revenue
DEPARTMENT OF HIGHWAYS			
Maintenance Projects, Statewide		450,000	Highways State Special

			Revenue
Construct and Expand Maintenance and Storage Buildings, Statewide		1,167,600	Highways State Special Revenue
		115,925	Federal Special Revenue
DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES			
Replace Water and Steam Lines, Montana Developmental Center		116,708	
Replace Roofs, Institutions	30,000		
Moisture Protection, Eastmont Human Services Center	98,450		
Montana State Hospital Infrastructure Study	112,375		
Seal Buildings, Montana State Prison	25,000		
Building Improvements, Center for the Aged	105,015		
Replace Multipurpose Building Flooring, Montana State Hospital, Warm Springs	26,800		
Galen Repair Projects	181,000		
DEPARTMENT OF LABOR AND INDUSTRY			
Renovate and Expand Job Service, Great Falls		310,000	Federal Special Revenue
Various Major Maintenance Projects		209,450	Federal Special Revenue
DEPARTMENT OF STATE LANDS			
Construct Two Greenhouses, Missoula		191,900	State Special Revenue
DEPARTMENT OF MILITARY AFFAIRS			
Kitchen Upgrade, Statewide	5,000		
Rifle Range Rehabilitation, Statewide	10,000	555,000	Federal Special Revenue
Armory Additions and Alterations, Statewide	1,000	16,155,000	Federal Special Revenue
Acquire Land and Preplan Armory, Billings	150,000	200,000	Federal Special Revenue
Expand Military Vehicle Compounds, Statewide	5,000	275,000	Federal Special Revenue
Federal Spending Authority		300,000	Federal Special Revenue
Libby Armory		827,000	Federal Special Revenue
MONTANA UNIVERSITY SYSTEM			
Primary Electrical Vault Disconnect, Eastern Montana College	31,000	14,000	Auxiliary
Install Fire Alarm System, University of Montana	70,000		
Replace and Improve Roofs, University System	1,154,550	350,000	Plant
Improve Underground Utilities, Phase I, University System	296,000	200,000	Auxiliary
Repair and Improve Heating System, Western Montana College	57,900		
Improve Handicapped Access, University System	335,000		
Replace Carpet, Great Falls Vo-Tech	60,000		
Improve Sidewalks and Fire Access, University System	86,000		
Window Retrofit Museum Building, Montana Tech	142,000		
Various Improvements, University of Montana		2,584,600	Federal, Higher Education Funds, and/or Donations
Centennial Mall, Montana State University		1,600,000	Plant
Remodel Student Union Building, Western Montana College		600,000	Auxiliary
Construct Engineering/Physical Sciences Complex, Montana State University		~~2,301,200~~	Higher Education Funds and/or Donations
	452,765	2,215,435	
Life Science Building, University of Montana		12,000,000	Federal Special Revenue
Construct Business Administration Building, University of Montana		1,858,320	Higher Education Funds and/or Donations

Multipurpose Building, Northern Agricultural Research Center	~~150,000~~	150,000	~~Higher Education Funds~~ and/or Donations
Repair Northern Montana College Gymnasium	934,500	1,700,000	Higher Education Funds and/or Donations

(2) For purposes of obtaining cash for the construction litigation appropriation authority in [section 6(1)], the architecture and engineering division of the department of administration is authorized to request a budget amendment for transfer of any excess long-range building project funds from any agency so long as the amendment does not move funds required to complete any authorized agency project.

(3) The following money is appropriated to the department of administration in the indicated amounts for the purpose of planning projects described in [section 12] and authorized in [section 13]:

Agency/Project	LRBPF	Other Funding Sources	
Preliminary Design for Prison Expansion	$ 877,500		
Preliminary Design, University System:			
Engineering/Physical Sciences, MSU	~~1,165,290~~	1,165,290	~~Higher Education Funds~~ and/or Donations
Business Administration, UM	~~604,705~~		
	183,606	421,099	Higher Education Funds and/or Donations

(4) The following money is appropriated to the department of administration for the university system:

Agency/Project	LRBPF	Other Funding Sources	
University System			
Deferred Maintenance Projects and Equipment Approved by the Board of Regents		$ 517,500	General Fund
Repair Northern Montana College Gymnasium		283,000	General Fund
Equipment for Eastern Montana College		600,000	General Fund
~~Construct Engineering/Physical Sciences Complex, Montana State University~~		~~367,000~~	~~General Fund~~

(5) Amounts not to exceed $490,000 of federal special revenue money and $163,333 of state special revenue money appropriated in the state parks maintenance and development statewide line item under subsection (1) may be added to the line item appropriations for motorboat access facilities statewide under subsection (1) or fishing access site acquisition statewide under [section 8(1)]."

Section 4. Section 13, Chapter 774, Laws of 1991, is amended to read:

"Section 13. Authorization of bonds. The board of examiners is authorized to issue and sell general obligation long-range building program bonds in an amount not exceeding $61,260,830 for the projects described in [section 12] over and above the amount of general obligation long-range building program bonds outstanding on January 1, 1991, to be issued in accordance with the terms and in the manner required by Title 17, chapter 5, part 8. The board of examiners may issue and sell $29,836,345 of bonds during fiscal year 1993 and the remainder of the bonds in the 1994-95 biennium. The bonds issued and sold during fiscal year 1993 may not be used for projects at the university units. The authority granted to the board by this section is in addition to any other authorization to the board to issue and sell general obligation long-range building program bonds."

Section 5. Section 3, Chapter 775, Laws of 1991, is amended to read:

"Section 3. Projects not completing requirements -- loans reauthorized. (1) The legislature finds that the following water development projects for which coal severance tax bonds were authorized to be issued by the 51st legislature in House Bill No. 778, Laws of 1989, may not complete the requirements necessary for the loan transaction prior to June 30, 1991. Coal severance tax bonds for the projects described in this section are reauthorized in the amounts listed at the interest rates authorized by the 51st legislature in House Bill No. 778, Laws of 1989, and described in this section to enable financing during the 1992-93 biennium, if necessary.

GROUP A Notwithstanding the provisions of [section 5], the interest rate for the project in this group must be 4% over a 30-year term or 3% if the lower interest rate is necessary to secure the federal loan.

	Loan Amount
EAST BENCH IRRIGATION DISTRICT	
Gravity Sprinkler Irrigation No. 3	$ 431,000

GROUP B Notwithstanding the provisions of [section 5], the interest rate for projects in this group may be 3% below the long-term bond rate at which the state bond is sold for the first 5 years of an anticipated 20-year term and must be at the rate at which the state bond is sold for the remaining 15 years.

	Loan Amount
SOMERS COUNTY WATER AND SEWER DISTRICT	
Somers Sewer	$3,151,960
EVERGREEN WATER AND SEWER DISTRICT	
Wastewater Facilities	3,778,028

(If House Bill No. 648 is passed and approved, strike 3,778,028 in line 8 and insert 551,128.)

LAKE COUNTY/BIG ARM SEWER DISTRICT	
Big Arm Sewer	2,283,893

GROUP C Notwithstanding the provisions of [section 5], the interest rate for projects in this group may be 2% below the long-term bond rate at which the state bond is sold for the first 5 years of an anticipated 20-year term and must be at the rate at which the state bond is sold for the remaining 15 years.

	Loan Amount
GLENDIVE, CITY OF	
Water Treatment Plant	$4,075,000
WHITEFISH, CITY OF	
Water Treatment and Distribution	6,035,800
WIBAUX, TOWN OF	
Water Storage Reservoir/Transmission Line	272,500
EAST GLACIER, TOWN OF	
Water System	484,270
PONDERA CONSERVATION DISTRICT	
Irrigation System Rehabilitation	750,000

GROUP D Notwithstanding the provisions of [section 5], the interest rate for projects in this group must be sold at the rate at which the state bond is sold for 20 years.

Loan Amount

BROWNING, TOWN OF
Sewage Treatment Facility Improvements $ 447,014
~~ANACONDA DEER LODGE COUNTY~~
~~Wastewater Treatment Plant Effluent Disposal 500,000~~
EVERGREEN WATER AND SEWER DISTRICT
Wastewater Facilities 500,000
GROUP E Notwithstanding the provisions of [section 5], the interest rate for the project in this group may be 4% below the long-term bond rate at which the state bond is sold for the first 5 years of an anticipated 20-year term and must be at the rate at which the state bond is sold for the remaining 15 years.

Loan Amount
DUTTON, TOWN OF
Water Supply Construction $ 150,000

(2) The 50th legislature, in House Bill No. 7, Laws of 1987, approved the sale of $26 million of coal severance tax bonds for development of the Broadwater dam hydropower project. Any unspent portion of these funds is reauthorized for expenditure until completion of the project."

Section 6. Section 1, Chapter 779, Laws of 1991, is amended to read:

"Section 1. Appropriation. There is appropriated the following amounts from the general fund to the department of military affairs for the upgrading and maintenance of the state veterans' cemetery and for operation of the veterans' affairs program:
Fiscal year 1992 $22,806
Fiscal year 1993 22,795"

Section 7. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 3, introduced bill, be amended as follows:

1. Title, line 5.
Following: "TO"
Strike: "$20"
Insert: "$10"

2. Page 1, line 15.
Strike: "$20"
Insert: "$10"

3. Page 1, line 16.
Strike: "$20"
Insert: "$10"

And, as amended, do pass. Report adopted.

HB 6, introduced bill, be amended as follows:

1. Title, line 5.
Following: "TRANSFERRING"

Strike: "$1,198,000"
Insert: "$1,133,624"

2. Page 1, line 22.
Following: "."
Strike: "$1,198,000"
Insert: "$1,133,624"

This transfers the balance of the capital projects funds appropriated for planning for the two universities buildings to the general fund.

And, as amended, do pass. Report adopted.

HB 25, introduced bill, be amended as follows:

1. Title, line 5.
Following: "BY"
Insert: "MOST"

2. Page 1, line 12.
Following: "2-18-512,"
Insert: "except for officers listed in Article VI, section 1, of The Constitution of the State of Montana and their employees,"

3. Page 2, line 3.
Following: "employee"
Insert: ", including those excepted from the requirement of subsection (1),"

4. Page 2, line 11.
Following: "agency."
Insert: "The authority approving travel by an officer or employee excepted from the requirement of subsection (1) shall report to the house appropriations and senate finance and claims committees of the 53rd legislature each case of authorized travel and the cost of and reason for the travel."

And, as amended, do pass. Report adopted.

HB 32, introduced bill, be amended as follows:

1. Page 1, line 13.
Strike: "April 30, 1993"
Insert: "December 31, 1992"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Raney, Chairman): 7/10/92
HJR 1, introduced bill, do pass. Report adopted.

TAXATION (Harrington, Chairman): 7/10/92
HB 12, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "NOVEMBER"
Insert: "DECEMBER"

2. Page 2, line 5.
Page 2, line 8.
Page 2, line 11.
Strike: "November"
Insert: "December"

3. Page 2, line 9.
Strike: "December"
Insert: "January"

And, as amended, do pass. Report adopted.

HJR 2, introduced bill, be amended as follows:

1. Page 5, line 3.
Strike: "$13.257"
Insert: "$8.129"

2. Page 7, line 15.
Strike: "39.314"
Insert: "36.186"
Strike: "72.564"
Insert: "69.436"

3. Page 7, line 19.
Strike: "45.368"
Insert: "44.830"
Strike: "86.883"
Insert: "86.345"

4. Page 8, line 17.
Strike: "$497.264"
Insert: "$493.596"
Strike: "$952.276"
Insert: "$948.610"

5. Page 9, line 9.
Strike: "18.368"
Insert: "16.906"
Strike: "33.903"
Insert: "32.441"

6. Page 9, line 19.
Strike: "$266.087"
Insert: "$264.625"
Strike: "$520.112"
Insert: "$518.650"

7. Page 10, line 15.
Strike: "$871.572"

Insert: "$866.444"
Strike: "$1,692.149"
Insert: "$1,687.021"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House Bill 1 concurred in and returned to the House: 7/11/92

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 7/11/92
Correctly printed: HB 2.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 37, introduced by Cobb, referred to Committee on Appropriations
HB 38, introduced by Pavlovich, referred to Committee on Taxation
HB 39, introduced by Pavlovich, referred to Committee on Taxation
HB 40, introduced by Cocchiarella, referred to Committee on State Administration
HB 41, introduced by Kadas, referred to Committee on Appropriations
HB 42, introduced by Kadas, referred to Committee on Appropriations
HB 43, introduced by Dowell, referred to Committee on Taxation
HB 44, introduced by Ream, referred to Committee on Taxation
HB 45, introduced by McCaffree, referred to Committee on Taxation
HB 46, introduced by Peck, referred to Committee on Education and Cultural Resources
HB 47, introduced by Harrington, referred to Committee on Taxation
HB 48, introduced by Harrington, referred to Committee on Taxation

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Swysgood in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 2 - Representative Thoft moved HB 2 do pass.

Debate on Section A opened at this time, 10:15 a.m.

Representative Quilici explained Section A of HB 2.

Representative Quilici moved HB 2, Section A, second reading copy, be amended as follows (amendment #1):

1. Page A-5, following line 5.
Insert: "If the Environmental Quality Council is successful in securing $15,473 of private or federal funds during fiscal 1993, those funds are appropriated to the Environmental Quality Council to replace the $15,473 general fund reduction implemented during the July, 1992 Special Session."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, J. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Bergsagel, Boharski, Feland, Phillips.
Total 4

Excused: Connelly, Ellison, M. Hanson, J. Johnson, Ream, S. Rice, Russell, Simpkins, Thomas.
Total 9

Absent or not voting: Benedict, Fagg, Grinde, Steppler.
Total 4

Representative Bardanouve moved HB 2, Section A, second reading copy, be further amended as follows (amendment #2):

1. Page A-16, line 11.
Strike: "126,624"
Insert: "25,000"

This amendment reduces the fiscal 1993 appropriation for the HB 809 Fire Marshal Bureau Expansion budget modification approved by the 1991 legislature. The modification originally provided $163,000 in fiscal 1993 to add 3.5 FTE to the Fire Marshal Bureau. The January special session reduced the fiscal 1993 appropriation to $126,625. This amendment would require a delay in implementing the Fire Marshal Bureau expansion to Fiscal 1994, leaving only funding for 1.0 FTE which has already been hired. House Bill 809 increased the fire insurance premium tax for 3/4 of 1 percent to fund the bureau expansion, with the proceeds going to the general fund.

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gervais, Grady, S. J. Hansen, H. S. Hanson, Hayne, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Peck, Peterson, Phillips, Raney, J. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Bradley, Forrester, Gould, Grinde, Harrington, Hoffman, R. Johnson, O'Keefe, Pavlovich, Quilici.
Total 10

Voted Absentee: J. Johnson, Aye.

Excused: Connelly, Ellison, M. Hanson, Ream, S. Rice, Russell, Simpkins, Thomas.
Total 8

Absent or not voting: Barnett, Gilbert.
Total 2

Representative Bardanouve moved HB 2, Section A, second reading copy, be further amended (amendment #3). Amendment #3 failed as follows: (22-66)

Representative D. Brown moved HB 2, Section A, second reading copy, be further amended as follows (amendment #4):

1. Page A-17, following line 18.
Insert: "In implementing the appropriations under Item 3, the Legislature urges the Department and Indian Tribes to negotiate in good faith in order to reach on a temporary basis the status quo for Indian and non-Indian gaming operators. The Department and Indian Tribes are urged to enter into long term agreements to implement the Federal Indian Gaming laws for the benefit of tribal and state government."

Amendment #4 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee,

Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Russell, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Voted Absentee: Connelly, J. Johnson, Russell, Ayes.

Excused: Ellison, M. Hanson, Ream, S. Rice, Simpkins, Thomas.
Total 6

Absent or not voting: J. Rice.
Total 1

Representative D. Brown moved HB 2, Section A, second reading copy, be further amended as follows (amendment #5):

1. Page A-17, line 7.
Strike: "541,749"
Insert: "641,749"

2. Page A-17, following line 18.
Insert: "A minimum of $100,000 in item 13 must be allocated to programs other than the motor vehicle division."

This amendment increases the general budget reduction in the Department of Justice by $100,000 in fiscal 1993. Language is inserted in the bill to require that the cuts made in this amendment not be taken from the Motor Vehicle Division.

Amendment #5 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, S. J. Hansen, Harrington, Hayne, Kadas, Kasten, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Raney, Ream, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook.
Total 75

Noes: Bradley, Clark, Cohen, R. DeBruycker, Grady, Grinde, H. S. Hanson, Hoffman, R. Johnson, Keller, Knox, Measure, O'Keefe, Phillips, Quilici, Simpkins, Wallin, Mr. Speaker.
Total 18

Voted Absentee: Connelly, Ream, Ayes; Simpkins, No.

Excused: Ellison, M. Hanson, J. Johnson, S. Rice, Russell, Thomas.
Total 6

Absent or not voting: J. Rice.
Total 1

Representative Boharski moved HB 2, Section A, second reading copy, be further amended (amendment #6). Amendment #6 failed as follows: (11-80)

Representative Cocchiarella moved HB 2, Section A, second reading copy, be further amended as follows (amendment #7):

1. Page A-9, following line 6.
Insert: "The office of budget and program planning is appropriated $49,946 in general fund money in fiscal 1993, contingent on passage and approval of ___ Bill No.___ [LC 95]."

2. Page A-26, following line 13.
Insert: "Contingent on passage and approval of ___ Bill No.___ [LC 95], the appropriation in item 8 is reduced to $684,079 in general fund money in fiscal 1993 and $346,374 in proprietary funds in fiscal 1993."

3. Page B-9, following line 15.
Insert: "The research, safety, and training program is appropriated $22,059 in general fund money in fiscal 1993, contingent on passage and approval of ___ Bill No.___ [LC 95]."

Amendment #7 passed as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, Nisbet, Pavlovich, Raney, Ream, S. Rice, Schye, Scott, Southworth, Squires, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt.
Total 53

Noes: Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, R. DeBruycker, Ellis, Fagg, Feland, Foster, Gilbert, Gould, H. S. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Measure, Mercer, T. Nelson, O'Keefe, Peck, Peterson, Phillips, Quilici, Spring, Stang, Swysgood, Thoft, Tunby, Wallin, Zook, Mr. Speaker.
Total 39

Voted Absentee: Connelly, Ream, S. Rice, Ayes.

Excused: Ellison, M. Hanson, J. Johnson, Russell, Simpkins, Thomas.
Total 6

Absent or not voting: Grinde, J. Rice.
Total 2

Representative Beck moved HB 2, Section A, second reading copy, be further amended as follows (amendment #8):

1. Page A-18, line 16.
Strike: "594,076"
Insert: "376,076"

2. Page BP-4, following line 13.
Insert: "The department of transportation shall transfer to the general fund from motor pool proprietary funds $218,000 in fiscal 1993."

This amendment reduces the State Motor Pool Program fiscal 1993 appropriation by $218,000, the amount appropriated for equipment purchases (approximately 18 new vehicles). The amendment also directs the Department of Transportation to transfer the $218,000 in savings from proprietary funds to the general fund in fiscal 1993. A June 1992 Legislative Auditor Performance Audit Report on the Motor Pool Program states that the department has an excess vehicle inventory, and estimates that "the department could eliminate up to 30 vehicles at an average cost of $10,700 each."

Amendment #8 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: None.
Total 0

Voted Absentee: J. Johnson, Aye.

Excused: Connelly, Ellison, M. Hanson, Ream, S. Rice, Russell, Simpkins, Thomas.
Total 8

Absent or not voting: Cobb, J. Rice.
Total 2

Representative Gilbert moved HB 2, Section A, second reading copy, be further amended as follows (amendment #9):

1. Page A-4, line 15.
Following: line 15.
Insert: "Any portion of the $189,706 appropriation contained in Item 1 for the National Conference of State Legislators that is unobligated as of [the effective date of this act] shall revert to the general fund."

Amendment #9 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCaffree, McCulloch, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Raney, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Cohen, Galvin, Harrington, Kadas, Madison, McCarthy, Measure, Menahan, Pavlovich, Quilici, Schye.
Total 11

Voted Absentee: Connelly, J. Johnson, Ayes.

Excused: Ellison, M. Hanson, Ream, S. Rice, Russell, Simpkins, Thomas.
Total 7

Absent or not voting: Bardanouve, Cocchiarella, J. Rice.
Total 3

Representative Cody moved HB 2, Section A, second reading copy, be further amended as follows (amendment #10):

1. Page A-20, line 24.
Strike: "1,238,282"
Insert: "1,124,159"

LFA will amend totals.

Amendment #10 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cody, Connelly, Cromley, Daily, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Fagg, Feland, Forrester, Gervais, Gould, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, Kasten, Keller, Kilpatrick, McCaffree, Mercer, Messmore, L. Nelson, Pavlovich, Peck, Peterson, Phillips, Scott, Southworth, Spring,

Squires, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wanzenried, Zook.
Total 53

Noes: Bardanouve, Bergsagel, Bradley, Cocchiarella, Cohen, Darko, Davis, Elliott, Ellis, Foster, Galvin, Gilbert, Grady, Grinde, Hayne, J. Johnson, R. Johnson, Kadas, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, T. Nelson, Nisbet, O'Keefe, Quilici, Raney, Ream, Schye, Stang, Steppler, Wallin, Whalen, Wyatt, Mr. Speaker.
Total 40

Voted Absentee: Connelly, Aye; J. Johnson, Ream, Noes.

Excused: Ellison, M. Hanson, S. Rice, Russell, Simpkins, Thomas.
Total 6

Absent or not voting: J. Rice.
Total 1

Debate on Section A closed at this time, 11:55 a.m.

House recessed. House reconvened, 1:30 p.m.

Debate on Section B opened at this time.

Representative Bradley explained Section B of HB 2.

Representative Cobb moved HB 2, Section B, second reading copy, be amended (amendment #11). Amendment #11 failed as follows: (36-61)

Representative Cobb moved HB 2, Section B, second reading copy, be further amended as follows (amendment #12):

1. Page B-1, line 5.
Strike: "75,714" (General Fund, Fiscal 1993)
Insert: "125,091" (General Fund, Fiscal 1993)

LFA will amend totals.

2. Page B-5.
Following: line 10
Insert: "10. Budget Reduction II 50,000" (General Fund, Fiscal 1993)

LFA will amend totals.

This amendment eliminates the original amendment to eliminate funding for the Chief Legal Counsel position in the Director's Office, restores the FTE and reduces the department's general fund appropriation by $50,000.

Amendment #12 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb,

Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: Connelly, Ellison, M. Hanson, J. Johnson, Knox, Ream, S. Rice, Russell, Simpkins, Thomas.
Total 10

Absent or not voting: Elliott.
Total 1

Representative Squires moved HB 2, Section B, second reading copy, be further amended (amendment #13). Amendment #13 failed as follows: (48-50)

Representative Squires moved HB 2, Section B, second reading copy, be further amended as follows (amendment #14):

1. Page B-10, line 13.

Strike: "0"	"0"	"0"	"0"
Insert: "814,731"	"53,684"	"2,187,605"	"3,056,021"

2. Page B-15, line 8.
Strike: "38%"
Insert: "40.5%"

LFA will amend totals.

This amendment sets AFDC and GA benefit levels at 40.5 percent of the federal poverty index, effective September 1, 1992 and adds $814,731 general fund.

Amendment #14 passed as follows:

Ayes: Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 52

Noes: Bachini, Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, Connelly, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Lee, Mercer, L. Nelson, T. Nelson, Nisbet, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 46

Voted Absentee: Ream, S. Rice, Ayes; Connelly, Ellison, M. Hanson, J. Johnson, Simpkins, Thomas, Noes.

Excused: Knox, Russell.
Total 2

Absent or not voting: None.
Total 0

Debate on Section B closed at this time, 3 p.m.

Representative Kimberley explained Section C of HB 2, 3:05 p.m.

Representative Kimberley moved HB 2, Section C, second reading copy, be amended as follows (amendment #15):

1. Page C-12, line 7.
Following: "Item"
Strike: "4"
Insert: "4h"
Following: "contains"
Strike: "e: "$24,400"
Insert: "$23,437"

This amendment makes the necessary adjustments in House Bill 2 language to reflect correct committee action.

Amendment #15 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 86

Noes: None.
Total 0

Excused: Connelly, Ellison, M. Hanson, J. Johnson, Knox, Ream, S. Rice, Russell, Simpkins, Thomas.
Total 10

Absent or not voting: Cobb, Kimberley, Thoft, Wyatt.
Total 4

Representative Kadas moved HB 2, Section C, second reading copy, be further amended as follows (amendment #16):

1. Page C-12, line 25.
Strike: "314,978 453,263" (General Fund, State Special Fiscal 1993)
Insert: "768,241" (State Special Revenue, Fiscal 1993)

LFA will amend totals.

2. Page C-13, line 25.
Following: "in items"
Insert: "2,"
Following: "4"
Insert: ","

This amendment replaces the general fund in the Department of Livestock's diagnostic laboratory program with state special revenue.

Amendment #16 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt.
Total 52

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Bradley, D. Brown, Clark, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Peterson, Phillips, Spring, Swysgood, Thoft, Tunby, Wallin, Zook, Mr. Speaker.
Total 43

Voted Absentee: Connelly, Ream, S. Rice, Ayes; M. Hanson, Knox, Noes.

Excused: Ellison, J. Johnson, Russell, Simpkins, Thomas.
Total 5

Absent or not voting: None.
Total 0

Representative McCaffree moved HB 2, Section C, second reading copy, be further amended as follows (amendment #17):

1. Page C-14, following line 1.
Insert: "The department of livestock is directed to develop a plan in conjunction with the department of agriculture on consolidation of the two departments. This plan must identify any general fund savings that would result from the consolidation. The plan must be presented to the 53rd legislature."

Amendment #17 passed as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gilbert, S. J. Hansen, H. S. Hanson, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, J. Rice, S. Rice, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 64

Noes: Barnett, Benedict, D. Brown, Clark, R. DeBruycker, Ellis, Fagg, Feland, Foster, Gould, Grady, Grinde, Hayne, Hoffman, R. Johnson, Kasten, Keller, Lee, Mercer, L. Nelson, Peterson, Phillips, Spring, Swysgood, Thoft, Tunby, Zook.
Total 27

Voted Absentee: Connelly, Aye.

Excused: Ellison, M. Hanson, J. Johnson, Knox, Ream, Russell, Simpkins, Thomas.
Total 8

Absent or not voting: Bardanouve.
Total 1

Representative McCaffree moved HB 2, Section C, second reading copy, be further amended as follows (amendment #18):

1. Page C-19, following line 9.
Insert: "The department of agriculture is directed to develop a plan in conjunction with the department of livestock on consolidation of the two departments. This plan must identify any general fund savings that would result from the consolidation. The plan must be presented to the 53rd legislature."

Amendment #18 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott,

Forrester, Galvin, Gervais, Gilbert, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, J. Rice, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 62

Noes: Barnett, Benedict, D. Brown, Clark, R. DeBruycker, Ellis, Fagg, Feland, Foster, Gould, Grady, Grinde, Hayne, Hoffman, R. Johnson, Kasten, Keller, Lee, Mercer, L. Nelson, Peterson, Phillips, Spring, Swysgood, Thoft, Tunby, Zook.
Total 27

Excused: Connelly, Ellison, M. Hanson, J. Johnson, Knox, Ream, S. Rice, Russell, Simpkins, Thomas.
Total 10

Absent or not voting: H. Hanson.
Total 1

Representative Wanzenried moved HB 2, Section C, second reading copy, be further amended as follows (amendment #19):

1. Page C-25, following line 2.
Insert: "d. Budget Reduction II 93,627"

LFA will amend totals.

Reduces lottery's budget by 8 percent of the combined fiscal 1993 personal services and equipment budget. The program may allocate the reduction.

All lottery proceeds after payment of commissions, prizes, and operating expenses, is transferred to the Office of Public Instruction for deposit in the school equalization account.

Amendment #19 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gilbert, Grinde, S. J. Hansen, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Quilici, Raney, Ream, J. Rice, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 78

Noes: Benedict, Clark, Daily, Feland, Gould, Grady, H. S. Hanson, Hayne, Hoffman, Pavlovich, Phillips, Spring, Swysgood.
Total 13

Voted Absentee: Connelly, Ream, Ayes.

Excused: Ellison, M. Hanson, Knox, S. Rice, Russell, Simpkins, Thomas.
Total 7

Absent or not voting: Harrington, Lee.
Total 2

Representative Harper moved HB 2, Section C, second reading copy, be further amended as follows (amendment #20):

1. Page C-24, line 3.
Strike: "$108,328"
Insert: "$409,420"

2. Page C-24, line 8.
Strike: "11,608"
Insert: "50,000"

LFA will amend totals.

This amendment reverses House Appropriations action and restores 6 FTE's and associated costs to the Montana Science and Technology Alliance, Department of Commerce.

Amendment #20 passed as follows:

Ayes: Barnett, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Forrester, Gervais, Grinde, Harrington, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Toole, Wallin, Wyatt, Mr. Speaker.
Total 49

Noes: Bachini, Bardanouve, Bergsagel, Boharski, Clark, Cobb, Cody, Connelly, Cromley, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Hayne, Hoffman, Kasten, Keller, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Peck, Peterson, Phillips, J. Rice, Steppler, Swysgood, Thoft, Tunby, Wanzenried, Whalen, Zook.
Total 44

Voted Absentee: J. Johnson, Ream, S. Rice, Ayes; Connelly, No.

Excused: Ellison, M. Hanson, Knox, Russell, Simpkins, Thomas.
Total 6

Absent or not voting: Kadas.
Total 1

Debate on Section C closed at this time, 4:06 p.m.

Representative Menahan explained Section D of HB 2, 4:14 p.m.

Representative Bradley moved HB 2, Section D, second reading copy, be further amended (amendment #21). Amendment #21 failed as follows: (42-51)

Representative Ellis moved HB 2, Section D, second reading copy, be further amended (amendment #22). Amendment #22 failed as follows: (24-69)

Debate on Section D closed at this time, 4:58 p.m.

Representative Peck explained Section E of HB 2, 5:04 p.m.

Representative Grinde moved HB 2, Section E, second reading copy, be further amended (amendment #23). Amendment #23 failed as follows: (41-55)

Representative Dowell moved HB 2, Section E, second reading copy, be further amended as follows (amendment #24):

1. Page E-12, following line 5.
Insert: "The office of the commissioner of higher education is directed to study administrative structure and expenses within each unit of the university system and within the office of the commissioner of higher education to determine if operational efficiencies could be increased through consolidation or elimination of positions, or both, and report on its findings to the 53rd legislature."

2. Page E-25, following line 6.
Insert: "The Montana school for the deaf and blind is directed to study its administrative structure and expenses to determine if operational efficiencies could be increased through consolidation or elimination of positions, or both, and shall report on its findings to the 53rd legislature."

Amendment #24 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, J. Rice, Schye, Scott, Southworth, Spring, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Mr. Speaker.
Total 75

Noes: Bergsagel, Clark, Cobb, R. DeBruycker, Grinde, Hoffman, R. Johnson, Kadas, Kasten, Lee, Phillips, Swysgood, Thoft, Zook.
Total 14

Voted Absentee: Connelly, Aye.

Excused: Ellison, M. Hanson, J. Johnson, Knox, Ream, S. Rice, Russell, Simpkins, Thomas.
Total 9

Absent or not voting: Squires, Wyatt.
Total 2

Representative Peck moved HB 2, Section E, second reading copy, be further amended as follows (amendment #25):

1. Page E-12, following line 5.
Following: "institutions."
Insert: "It is the intent of the 52nd legislature that no funds be transferred in either fiscal 1992 or fiscal 1993 from the student assistance program to any other program within the office of the commissioner of higher education."

Amendment #25 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Ream.
Total 1

Voted Absentee: Connelly, J. Johnson, S. Rice, Ayes; Ream, No.

Excused: Ellison, M. Hanson, Knox, Russell, Simpkins, Thomas.
Total 6

Absent or not voting: Bradley.
Total 1

Representative Cobb moved HB 2, Section E, second reading copy, be further amended (amendment #26). Amendment #26 failed as follows: (37-58)

Representative Cobb moved HB 2, Section E, second reading copy, be further amended (amendment #27). Amendment #27 failed as follows: (43-52)

Representative Steppler moved HB 2, Section E, second reading copy, be further amended as follows (amendment #28):

1. Page E-12, following line 5.
Insert: "The office of the commissioner of higher education is directed to conduct a study of the potential benefits of the sharing of county extension agents among rural counties and report the findings of the study to the 53rd legislature."

Amendment #28 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, H. S. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Raney, J. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Grinde, Lee.
Total 2

Voted Absentee: Connelly, Aye.

Excused: Ellison, M. Hanson, Harrington, J. Johnson, Knox, Quilici, Ream, S. Rice, Russell, Simpkins, Thomas.
Total 11

Absent or not voting: Boharski, R. DeBruycker, Driscoll.
Total 3

Representative Cobb moved HB 2, Section E, second reading copy, be further amended (amendment #29). Amendment #29 failed as follows: (39-55)

Representative Cobb moved HB 2, Section E, second reading copy, be further amended (amendment #30). Amendment #30 failed as follows: (38-54)

Representative Cobb moved HB 2, Section E, second reading copy, be further amended (amendment #31). Amendment #31 failed as follows: (42-52)

Representative Cobb moved HB 2, Section E, second reading copy, be further amended (amendment #32). Amendment #32 failed as follows: (43-50)

Representative Dolezal moved HB 2, Section E, second reading copy, be further amended (amendment #33). Amendment #33 failed as follows: (40-52)

Debate on Section E closed at this time, 6:20 p.m.

Representative Bardanouve explained Section OA of HB 2, 6:25 p.m.

Debate on Section OA closed at this time, 6:27 p.m.

Representative Driscoll moved sections A-E be reopened for the purpose of an amendment affecting each section in the same manner. Motion carried.

Representative Cobb moved HB 2, Section A-E, second reading copy, be further amended (amendment #34). Amendment #34 failed as follows: (45-47)

Representative Cobb moved HB 2, Section A-E, second reading copy, be further amended as follows (amendment #35):

1. Sections A through E.
Adopt additional budget reductions for each agency as shown in Option B, except that the Department of Corrections and Human Services' additional budget reduction would be $292,023.

LFA will amend totals accordingly.

This option brings most agencies' cumulative budget reduction in the current special session to 4 percent of their general fund operating budgets. The Departments of Corrections and Human Services and Family Services is at 2 percent.

Amendment #35 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Raney, J. Rice, S. Rice, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook.
Total 81

Noes: Brooke, Dolezal, Galvin, Gervais, Harrington, Kimberley, McCarthy, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Ream, Schye, Whalen, Mr. Speaker.
Total 16

Voted Absentee: Connelly, Ellison, Gould, M. Hanson, Knox, S. Rice, Thomas, Ayes; Harrington, Quilici, Ream, Noes.

Excused: J. Johnson, Russell, Simpkins.
Total 3

Absent or not voting: None.
Total 0

Representative Cobb moved HB 2, Boilerplate, second reading copy, be further amended as follows (amendment #36):

1. Page BP-2, line 3.
Strike: section 7 in its entirety
Renumber: subsequent sections

2. Page BP-4, lines 14 and 15.
Strike: section 14 in its entirety
Renumber: subsequent sections

(Section 7 requires positions vacant for more than six months may be filled only after the approval of the approving authority; and positions vacant for one year be automatically eliminated. This section is eliminated because it is no longer serving its intended purposes.)

Amendment #36 passed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Grady, Grinde, S. J. Hansen, H. S. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Raney, J. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 82

Noes: Bachini, Galvin, Peck, Wyatt.
Total 4

Excused: Connelly, Ellison, Gould, M. Hanson, Harrington, J. Johnson, Knox, Quilici, Ream, S. Rice, Russell, Simpkins, Thomas.
Total 13

Absent or not voting: Cohen.
Total 1

Representative Thoft moved HB 2, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, Menahan, L. Nelson, Nisbet, Pavlovich, Quilici, Raney, Ream, S. Rice, Schye, Scott, Southworth, Squires, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 53

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Dowell, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCulloch, Measure, Mercer, Messmore, T. Nelson, O'Keefe, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Stang, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 46

Voted Absentee: Connelly, Harrington, J. Johnson, Quilici, Ream, S. Rice, Ayes; Ellison, Gould, M. Hanson, Knox, Simpkins, Thomas, Noes.

Excused: Russell.
Total 1

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Swysgood moved the adoption of the committee report. Report adopted. (47-41)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 2 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, Measure, Menahan, L. Nelson, Nisbet, Pavlovich, Quilici, Raney, Ream, S. Rice, Schye, Scott, Southworth, Squires, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 53

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCulloch, Mercer, Messmore, T. Nelson, O'Keefe, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Stang, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 46

Voted Absentee: Connelly, Harrington, J. Johnson, Quilici, Ream, S. Rice, Ayes; Ellison, Gould, M. Hanson, Knox, Simpkins, Thomas, Noes.

Excused: Russell.
Total 1

Absent or not voting: None.
Total 1

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 49, introduced by R. Johnson, referred to Committee on Appropriations
HB 50, introduced by Whalen, referred to Committee on Taxation
HB 51, introduced by Kadas, referred to Committee on Appropriations
HB 52, introduced by Cohen, referred to Committee on Taxation
HB 53, introduced by S.J. Hansen, referred to Committee on Education and Cultural Resources

SPECIAL ORDERS OF THE DAY

The following sponsor was added to HB 41: Senator Judy Jacobson.

Honorary pages: Ali Carlson, Robin Harper, and Abby Person.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 3 p.m., Monday, July 12, 1992. Motion carried.

House adjourned at 7:15 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

SEVENTH LEGISLATIVE DAY

Helena, Montana
July 13, 1992

House Chambers
State Capitol

House convened at 3 p.m. Mr. Speaker in the Chair. Invocation by Representative Hansen. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Brown, Clark, Connelly, Cromley, Forrester, J. Johnson, Russell, Simpkins, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journal for the first and second legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 7/13/92
Correctly printed: HB 3, HB 6, HB 12, HB 25, HB 32, HJR 1, HJR 2.
Correctly engrossed: HB 2.
Correctly enrolled: HB 1.
Examined by the sponsor and found to be correct:
HB 1 - Bardanouve
Signed by the Speaker at 11:10 a.m.: HB 1.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 54, introduced by Ream, referred to Committee on Taxation
HB 55, introduced by Bachini, referred to Committee on Taxation
HB 56, introduced by Cocchiarella, referred to Committee on State Administration
HB 57, introduced by Cohen, referred to Committee on Taxation
HB 58, introduced by Madison, referred to Committee on Natural Resources
HB 59, introduced by Madison, referred to Committee on Natural Resources

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Daily in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 1 - Representative Harper moved HJR 1 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb,

Cocchiarella, Cody, Cohen, Connelly, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Voted Absentee: D. Brown, Cohen, Connelly, J. Johnson, Ayes.

Excused: Clark, Cromley, Forrester, Russell, Simpkins.
Total 5

Absent or not voting: None.
Total 0

HB 6 - Representative Thoft moved HB 6 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 87

Noes: Boharski, Davis, R. DeBruycker, Fagg, Lee, McCulloch, T. Nelson, Ream, Whalen, Wyatt.
Total 10

Voted Absentee: D. Brown, Connelly, Cromley, Forrester, J. Johnson, Ayes.

Excused: Clark, Russell, Simpkins.
Total 3

Absent or not voting: None.
Total 0

HB 12 - Representative Bardanouve moved HB 12 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Schye, Scott, Southworth, Squires, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 61

Noes: Barnett, Benedict, Bergsagel, Boharski, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, McCaffree, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Spring, Stang, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 36

Voted Absentee: D. Brown, Connelly, Cromley, Forrester, J. Johnson, Ayes.

Excused: Clark, Russell, Simpkins.
Total 3

Absent or not voting: None.
Total 0

HB 25 - Representative Quilici moved HB 25, second reading copy, be amended as follows (amendment #1):

1. Page 1, line 16.
Following: "EMPLOYEES"
Insert: "and except for the department of public service regulation, its commissioners, and employees"

Amendment #1 passed as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Lee, Madison, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Barnett, Cobb, Davis, Ellison, Kasten, Knox.
Total 6

Voted Absentee: D. Brown, Forrester, Ayes.

Excused: Clark, Connelly, Cromley, J. Johnson, Russell, Simpkins.
Total 6

Absent or not voting: Bardanouve, McCaffree.
Total 2

HB 25 - Representative Cody moved HB 25, second reading copy, be amended as follows (amendment #2):

1. Page 2, line 14.
Strike: "each case"
Insert: "the total amount"

2. Page 2, line 19.
Strike: "EACH CASE"
Insert: "the total amount"

3. Page 2, line 20.
Following: "TRAVEL."
Insert: "The house appropriations and senate finance and claims committees may require an approving authority to provide additional information regarding travel."

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: D. Brown, Clark, Connelly, Cromley, Forrester, J. Johnson, Russell, Simpkins.
Total 8

Absent or not voting: Ellison.
Total 1

Representative Cody moved HB 25, as amended, do pass.

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, J. Rice, S. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Barnhart, Boharski, Bradley, Cobb, Cocchiarella, Davis, R. DeBruycker, Ellison, Harrington, T. Nelson, Phillips, Ream, Swysgood, Thoft.
Total 14

Voted Absentee: D. Brown, Connelly, Cromley, Forrester, J. Johnson, Ayes.

Excused: Russell, Simpkins.
Total 2

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Daily moved the adoption of the committee report. Report adopted. (79-14)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: D. Brown, Cromley, Forrester, J. Johnson, Ayes.

Excused: Russell, Simpkins.
Total 2

Absent or not voting: None.
Total 0

HB 6 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, J. Rice, S. Rice, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 84

Noes: Boharski, Daily, Davis, R. DeBruycker, Ellison, Fagg, Lee, McCulloch, T. Nelson, Pavlovich, Ream, Spring, Whalen, Wyatt.
Total 14

Voted Absentee: D. Brown, Connelly, Cromley, Forrester, J. Johnson, Ayes.

Excused: Russell, Simpkins.
Total 2

Absent or not voting: None.
Total 0

HB 12 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCarthy, McCulloch, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Schye, Scott, Southworth, Squires, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 60

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller,

McCaffree, Measure, Mercer, Messmore, T. Nelson, Peterson, Phillips, J. Rice, Spring, Stang, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 38

Voted Absentee: D. Brown, Cromley, Forrester, J. Johnson, Ayes.

Excused: Russell, Simpkins.
Total 2

Absent or not voting: None.
Total 0

HB 25 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Brooke, D. Brown, J. Brown, Clark, Cody, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, J. Rice, S. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 81

Noes: Barnhart, Boharski, Bradley, Cobb, Cocchiarella, Cohen, Davis, R. DeBruycker, Ellison, Harrington, Hoffman, T. Nelson, Phillips, Ream, Swysgood, Thoft, Mr. Speaker.
Total 17

Voted Absentee: D. Brown, Cromley, Forrester, J. Johnson, Ayes.

Excused: Russell, Simpkins.
Total 2

Absent or not voting: None.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8 a.m., Tuesday, July 14, 1992. Motion carried.

House adjourned at 4:15 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

EIGHTH LEGISLATIVE DAY

Helena, Montana — House Chambers
July 14, 1992 — State Capitol

House convened at 8 a.m. Mr. Speaker in the Chair. Invocation by Representative McCarthy. Pledge of Allegiance to the Flag.

Roll call. All members present except Connelly, Hoffman, J. Johnson, Keller, Russell, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 7/14/92
Delivered to the Governor for his approval at 4:04 p.m., 7/13/92: HB 1.

APPROPRIATIONS (Bardanouve, Chairman): 7/14/92
HB 8, introduced bill, be amended as follows:

1. Title, line 8.
Following: "FUND"
Insert: "AND SCHOOL EQUALIZATION AID"

2. Title, line 11.
Following: "FUND"
Insert: "AND SCHOOL EQUALIZATION AID"

3. Title, line 15.
Following: "17-7-140"
Strike: "AND"
Insert: ","
Following: "17-7-304,"
Insert: "20-9-344, AND 20-9-351,"

4. Page 2, line 8.
Strike: "10%"
Insert: "4%"

5. Page 2, line 11.
Strike: "10%"
Insert: "4%"

6. Page 2, line 13.
Following: "fund"
Insert: "and school equalization aid"

7. Page 6, line 22.
Following: line 21
Insert: "Section 3. Section 20-9-344, MCA, is amended to read:

"20-9-344. Purpose of state equalization aid and duties of board of public education for distribution -- conditions of first payment. (1) The money available for state equalization aid must be distributed and apportioned to provide:

(a) an annual minimum operating revenue for the elementary and high schools in each county, exclusive of revenues required for debt service and for the payment of any costs and expense incurred in connection with any adult education program,

recreation program, school food services program, new buildings and grounds, and transportation; and

(b) the Montana educational telecommunications network as provided in 20-32-101.

(2) The board of public education shall administer and distribute the state equalization aid in the manner and with the powers and duties provided by law. To this end, the board of public education shall:

(a) adopt policies for regulating the distribution of state equalization aid in accordance with the provisions of law and in a manner that provides for monthly distribution to each district of its foundation program amount and to each county and district distribution of its guaranteed tax base aid;

(b) have the power to require reports from the county superintendents, budget boards, county treasurers, and trustees as it considers necessary; and

(c) order the superintendent of public instruction to distribute the state equalization aid on the basis of each district's annual entitlement to the aid as established by the superintendent of public instruction. In ordering the distribution of state equalization aid, the board of public education may not increase or decrease the state equalization aid distribution to any district on account of any difference that may occur during the school fiscal year between budgeted and actual receipts from any other source of school revenue.

(3) The board of public education may order the superintendent of public instruction to withhold distribution of state equalization aid or order the county superintendent of schools to withhold county equalization money from a district when:

(a) directed by the governor to reduce spending pursuant to 17-7-140; or

(b) the district fails to:

~~(a)~~(i) submit reports or budgets as required by law or rules adopted by the board of public education; or

~~(b)~~(ii) maintain accredited status.

(4) Prior to any proposed order by the board of public education to withhold distribution of state equalization aid or county equalization money, the district is entitled to a contested case hearing before the board of public education, as provided under the Montana Administrative Procedure Act.

(5) If a district or county receives more state equalization aid than it is entitled to, the county treasurer shall return the overpayment to the state upon the request of the superintendent of public instruction in the manner prescribed by the superintendent of public instruction.

(6) (a) The first foundation program payment and guaranteed tax base aid payment must be based on an estimate of 20% of the entitlement of each district or county and distributed by July 15 of the school fiscal year.

(b) Each subsequent monthly payment must be at least 7% of the entitlement of each district or county."

Section 4. Section 20-9-351, MCA, is amended to read:

"20-9-351. Funding of deficiency in state equalization aid. If the money available for state equalization aid is not the result of a reduction in spending under 17-7-140 and is not sufficient to provide the foundation program schedule support determined in 20-9-348 and the guaranteed tax base aid required under 20-9-366 through 20-9-369, the superintendent of public instruction shall request the budget director to submit a request for a supplemental appropriation in the second year of the biennium that is sufficient to complete the funding of guaranteed tax base aid and the foundation programs of the elementary or secondary schools, or both, for the current biennium.""

Renumber: subsequent section

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 60, introduced by McCulloch, referred to Committee on Taxation

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Stang in the Chair.

Speaker Pro Tem D. Brown: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 2 - Representative Harrington moved HJR 2, second reading copy, be amended as follows (amendment #1):

1. Page 3, line 4.
Strike: "$497,264,000"
Insert: "$493,598,000"

2. Page 3, line 5.
Strike: "$374,308,000"
Insert: "$372,846,000"

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, R. Johnson, Kasten, Kilpatrick, Kimberley,

Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Davis, Elliott, Kadas, Measure, Peck, Toole.
Total 6

Excused: Connelly, Hoffman, J. Johnson, Keller, Russell.
Total 5

Absent or not voting: Bardanouve.
Total 1

Representative Gilbert moved HJR 2, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Dolezal, Dowell, Driscoll, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Spring, Squires, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Whalen, Zook, Mr. Speaker.
Total 67

Noes: Bachini, Benedict, Bergsagel, Boharski, Cobb, Cohen, Davis, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Galvin, Grinde, S. J. Hansen, H. S. Hanson, Hayne, Kadas, Kasten, Lee, Measure, Mercer, Peck, Peterson, Phillips, Simpkins, Stang, Swysgood, Thoft, Thomas, Wanzenried, Wyatt.
Total 31

Voted Absentee: Connelly, J. Johnson, Ayes.

Excused: Keller, Russell.
Total 2

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report progress and beg leave to sit again. Motion carried. Committee arose. House resumed. Speaker Pro Tem D. Brown in the Chair. Chairman Stang moved the adoption of the committee report. Report adopted. (67-28)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 2 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Connelly, Cromley, Daily, Darko, Dolezal, Dowell, Driscoll, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Squires, Steppler, Stickney, Strizich, Tunby, Wallin, Whalen, Zook, Mr. Speaker.
Total 63

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Cobb, Davis, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Galvin, Grinde, S. J. Hansen, H. S. Hanson, Hayne, Kadas, Kasten, Keller, Lee, Measure, Mercer, Peck, Peterson, Phillips, Simpkins, Spring, Stang, Swysgood, Thoft, Thomas, Toole, Wanzenried, Wyatt.
Total 34

Voted Absentee: Connelly, J. Johnson, Ayes.

Excused: Russell.
Total 1

Absent or not voting: Brooke, Cohen.
Total 2

MOTIONS

Representative L. Nelson moved House Bill 28 be taken from the table of the Judiciary Committee, be printed, and be placed on second reading. Motion carried. (72-25)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 3 p.m., Motion carried.

House recessed at 8:50 a.m.

House reconvened at 3 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 7/14/92

Correctly printed: HB 8.
Correctly engrossed: HB 6, HB 12, HB 25, HJR 1, HJR 2.

STATE ADMINISTRATION (J. Brown, Chairman): 7/14/92
HB 56, introduced bill, be amended as follows:

1. Title, line 10.
Strike: "2-18-101,"
Following "2-18-301"
Strike: ","

2. Pages 1 through 4.
Strike: section 1
Renumber: subsequent sections

3. Page 4, line 24.
Following: "department"
Insert: "of labor and industry"

4. Page 5, lines 22 and 23.
Strike: lines 22 and 23

5. Page 13, line 10.
Strike: "6, 7"
Insert: "5, 6"

6. Page 13, line 12.
Strike: "5"
Insert: "4"

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committee:

HB 61, introduced by Toole, referred to Committee on Taxation
HB 62, introduced by Schye, referred to Committee on Education and Cultural Resources

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hoffman in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 3 - Representative Harper moved HB 3, second reading copy, be amended as follows (amendment #1):

1. Page 1, line 16.
Following: "~~$10~~"
Strike: "$20"
Insert: "$10"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Bradley, Brooke, J. Brown, Clark, Connelly, Cromley, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Galvin, Gervais, Grinde, S. J. Hansen, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, McCaffree, McCarthy, McCulloch, Measure, Messmore, L. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, S. Rice, Schye, Scott, Spring, Squires, Stang, Stickney, Strizich, Thomas, Tunby, Wallin, Wanzenried, Mr. Speaker.
Total 50

Noes: Barnett, Becker, Benedict, Bergsagel, Boharski, D. Brown, Cobb, Cocchiarella, Cody, Cohen, Daily, J. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, Kasten, Knox, Lee, Madison, Menahan, Mercer, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Simpkins, Southworth, Steppler, Swysgood, Thoft, Toole, Whalen, Wyatt, Zook.
Total 49

Voted Absentee: Connelly, J. Johnson, Ayes; D. Brown, No.

Excused: Russell.
Total 1

Absent or not voting: None.
Total 0

Representative Harper moved HB 3, as amended, do pass. Motion failed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Connelly, Cromley, Davis, R. DeBruycker, Dolezal, Dowell, Galvin, Gervais, S. J. Hansen, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, Messmore, L. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, S. Rice, Schye, Scott, Squires, Stang, Stickney, Strizich, Tunby, Wallin, Wanzenried, Mr. Speaker.
Total 46

Noes: Barnett, Becker, Benedict, Bergsagel, Boharski, D. Brown, Cody, Cohen, Daily, Darko, J. DeBruycker, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, Kasten, Knox, Lee, McCaffree, McCulloch, Measure, Menahan, Mercer, T. Nelson, Pavlovich, Peterson, Phillips, Quilici,

J. Rice, Simpkins, Southworth, Spring, Steppler, Swysgood, Thoft, Thomas, Toole, Whalen, Wyatt, Zook.
Total 52

Voted Absentee: Connelly, J. Johnson, Ayes; D. Brown, No.

Excused: Russell.
Total 1

Absent or not voting: Ellis.
Total 1

HB 8 - Representative Dowell moved HB 8, second reading copy, be amended as follows (amendment #1):

1. Title, line 8.
Following: "FUND"
Strike: "AND SCHOOL EQUALIZATION AID"

2. Title, lines 11 and 12.
Following: "FUND" on line 11.
Strike: "AND SCHOOL EQUALIZATION AID"

3. Title, line 16.
Strike: "20-9-344,"

4. Page 2, lines 15 and 16.
Following: "fund" on line 11.
Strike: "AND SCHOOL EQUALIZATION AID"

5. Page 6, following line 23.
Strike: section 3 in its entirety
Renumber: subsequent sections

Amendment #1 passed as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 57

Noes: Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Clark, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Zook.
Total 41

Voted Absentee: D. Brown, J. Johnson, Ayes.

Excused: Connelly, Russell.
Total 2

Absent or not voting: None.
Total 0

Representative Swysgood moved HB 8, second reading copy, be further amended as follows (amendment #2):

1. Page 2, line 10.
Following: "~~10%~~"
Strike: "4%"
Insert: "10%"

2. Page 2, line 13.
Following: "~~10%~~"
Strike: "4%"
Insert: "10%"

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Knox, Lee, Madison, McCaffree, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Peck, Peterson, Phillips, Raney, J. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook.
Total 75

Noes: Bradley, Brooke, Davis, Dowell, Forrester, Galvin, Gervais, Harrington, Kilpatrick, Kimberley, Larson, McCarthy, McCulloch, Menahan, O'Keefe, Pavlovich, Quilici, Ream, S. Rice, Whalen, Mr. Speaker.
Total 21

Excused: D. Brown, Connelly, J. Johnson, Russell.
Total 4

Absent or not voting: None.
Total 0

Representative Bardanouve moved HB 8, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester,

Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Brooke, Connelly, Daily, Davis, Galvin, Harrington, Kilpatrick, Larson, Lee, Menahan, Pavlovich, Strizich.
Total 12

Voted Absentee: D. Brown, J. Johnson, Ayes; Connelly, No.

Excused: Russell.
Total 1

Absent or not voting: None.
Total 0

HB 3 - Representative Harper moved the House reconsider its action on HB 3 this day. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Clark, Cobb, Cody, Cohen, Cromley, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Fagg, Forrester, Galvin, Gervais, Grady, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Messmore, L. Nelson, Nisbet, O'Keefe, Peck, Quilici, Raney, Ream, S. Rice, Schye, Scott, Squires, Stang, Stickney, Strizich, Tunby, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 53

Noes: Barnett, Benedict, Bergsagel, Boharski, Cocchiarella, Daily, J. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Feland, Foster, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Menahan, Mercer, T. Nelson, Pavlovich, Peterson, Phillips, J. Rice, Simpkins, Southworth, Spring, Steppler, Swysgood, Thoft, Thomas, Toole, Wallin, Whalen.
Total 43

Excused: D. Brown, Connelly, J. Johnson, Russell.
Total 4

Absent or not voting: None.
Total 0

Representative Harper moved HB 3, second reading copy, be amended as follows (amendment #2):

1. Page 1, line 16.
Following: "~~$20~~"

Strike: "$10"
Insert: "$20"

Amendment #2 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Fagg, Forrester, Galvin, Gervais, Gilbert, Grady, S. J. Hansen, Harrington, R. Johnson, Kadas, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Measure, Messmore, L. Nelson, Nisbet, O'Keefe, Peck, Phillips, Quilici, Raney, Ream, S. Rice, Schye, Scott, Squires, Stang, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 60

Noes: Barnett, Benedict, Bergsagel, Daily, Dowell, Driscoll, Elliott, Ellis, Ellison, Feland, Foster, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Knox, Larson, Menahan, Mercer, T. Nelson, Pavlovich, Peterson, J. Rice, Simpkins, Southworth, Spring, Steppler, Swysgood, Thoft, Thomas, Whalen.
Total 35

Voted Absentee: Connelly, Aye.

Excused: D. Brown, J. Johnson, Russell.
Total 3

Absent or not voting: Boharski, Lee.
Total 2

Representative Harper moved HB 3, as amended, do pass. Motion failed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Bradley, Brooke, J. Brown, Clark, Cobb, Connelly, Cromley, Davis, R. DeBruycker, Dolezal, Dowell, Galvin, Gervais, S. J. Hansen, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Larson, Madison, McCarthy, Messmore, L. Nelson, Nisbet, O'Keefe, Peck, Raney, Ream, S. Rice, Schye, Scott, Squires, Stang, Stickney, Strizich, Tunby, Wallin, Wanzenried, Mr. Speaker.
Total 46

Noes: Barnett, Becker, Benedict, Bergsagel, Boharski, D. Brown, Cocchiarella, Cody, Cohen, Daily, Darko, J. DeBruycker, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, Kasten, Knox, Lee, McCaffree, McCulloch, Measure, Menahan, Mercer, T. Nelson, Pavlovich, Peterson, Phillips, Quilici, J. Rice, Simpkins, Southworth, Spring, Steppler, Swysgood, Thoft, Thomas, Toole, Whalen, Wyatt, Zook.
Total 53

Voted Absentee: Connelly, J. Johnson, Ayes; D. Brown, No.

Excused: Russell.
Total 1

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Hoffman moved the adoption of the committee report. Report adopted. (81-14)

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 8 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Madison, McCaffree, McCarthy, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Brooke, Daily, Davis, Galvin, Harrington, Kilpatrick, Larson, Lee, Menahan, Pavlovich.
Total 10

Voted Absentee: D. Brown, J. Johnson, Ayes.

Excused: Connelly, Russell.
Total 2

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8 a.m., Wednesday, July 15, 1992. Motion carried.

House adjourned at 4:25 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

Total 1

Speaker

Absent or not voting:

Total 0

Representative Driscoll [illegible] the committee [illegible] report. [illegible] carried. Committee arose, [illegible] in the Chair. Chairman Hoffman [illegible] adopts [illegible] the committee report. Report adopted. (91-14)

The following bill having been read three several times, title agreed to, was disposed of in the following manner:

H.B. 8 passed as follows:

Ayes: Bechtel, Bardenouve, Barnett, [illegible]hart, Beck, Becker, Be[illegible] Bergengel, Bohnerald, Bradley, D. [illegible] J. Brown, Clark, [illegible] Cocchiarella, Cody, Cohen, Conley, Darko, J. DeBruycker, R. DeBe[illegible] Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, F[illegible] Foster, Gernuts, Gilbert, Gould, Grady, Grindle, S. J. Hansen, H. S. He[illegible] M. Hansen, Hayne, Hoffman, J. Johnson, R. Johnson, Ka[illegible], K[illegible] Keller, Kimberley, Knox, Madison, McCallister, McCarthy, McG[illegible] Meseure, Mercer, Messmore, L. Nelson, T. Nelson, Nichols, O'Neil, Pe[illegible] Peterson, Phillips, Quillet, Raney, Reams, J. Rice, S. Rice, Schye, Scott, Sheplin, Southworth, Spring, Squires, Stang, Steppler, S[illegible]laney, [illegible]zich, [illegible] Tanoff, Thomas, Took, Turnby, Wallin, Wa[illegible]rted, W[illegible] Wyatt, [illegible]ook, Mr. Speaker.

Total 98

Nays: Brooks, Daily, Davis, Calvin, Harrington, Kilpatrick, L[illegible] Monahan, Pedersen.

Total 10

Voted Absentee: D. Brown, J. Johnson, Ayes.

Excused: Connelly, Russell.

Total 2

Absent or not voting: None.

Total 0

NINTH LEGISLATIVE DAY

Helena, Montana
July 15, 1992

House Chambers
State Capitol

House convened at 8 a.m. Mr. Speaker in the Chair. Invocation by Representative Tunby. Pledge of Allegiance to the Flag.

Roll call. All members present except Cody, Connelly, Elliott, Grady, J. Johnson, J. Rice, Russell, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

NATURAL RESOURCES (Raney, Chairman): 7/15/92
HB 58, introduced bill, be amended as follows:

1. Title, line 6.
Strike: "A PERMIT"
Insert: "CERTAIN PERMITS"

2. Page 2, line 2.
Following: "on"
Insert: "certain"

3. Page 2, line 3.
Following: "permits."
Strike: "Until"
Insert: "Except for remedial actions pursuant to Title 75, chapter 10, part 7, or corrective actions pursuant to 75-10-405(2)(c) or 75-10-416, until"

4. Page 2, line 4.
Following: "permit"
Strike: "under"
Insert: "to a solid or hazardous waste incinerator subject to the requirements of"
Following: "75-2-215"
Strike: "for a solid or hazardous waste incinerator"

5. Page 2, line 7.
Following: "permits."
Strike: "Until"
Insert: "Except for remedial actions pursuant to Title 75, chapter 10, part 7, or corrective actions pursuant to 75-10-405(2)(c) or 75-10-416, until"

6. Page 2, lines 9 and 10.
Following: "the" on line 9
Strike: "applicant also requires a permit under"
Insert: "facility is also subject to the requirements of"
Following: "75-2-215" on line 10
Strike: "for the same facility"

And, as amended, do pass. Report adopted.

HB 59, introduced bill, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 7/14/92

HB 2, introduced by Thoft

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 3 p.m. Motion carried.

House recessed at 8:50 a.m.

House reconvened at 3 p.m. Speaker Pro Tem D. Brown in the Chair.

Representative Grady present at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 7/15/92
Correctly printed: HB 28, HB 56, HB 58, HB 59.
Correctly engrossed: HB 8.

APPROPRIATIONS (Bardanouve, Chairman): 7/15/92
HB 7, introduced bill, be amended as follows:

1. Title, lines 6 through 9.
Following: "BY"
Strike: "REMOVING RESTRICTIONS ON THE EXPENDITURE OF A FIRST-LEVEL CATEGORY OF AN AGENCY OPERATING BUDGET AND BY AUTHORIZING A PROGRAM TRANSFER OF AN AMOUNT NOT TO EXCEED 10 PERCENT OF THE TOTAL AGENCY APPROPRIATION;"
Insert: "REVISING THE TIME FOR APPROVING AN OPERATING BUDGET"

2. Title, line 9.
Strike: "SECTIONS"
Insert: "SECTION"

3. Title, line 10.
Strike: "AND 17-7-139"

4. Page 1.
Following: line 19
Insert: "Expenditures by a state agency must be made in substantial compliance with an operating budget approved by an approving authority. Substantial compliance means that a first-level category in the operating budget may not be exceeded by more than 5%."

5. Page 2, line 23 through page 3, line 13.
Strike: section 2 in its entirety
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable Hal Harper 7/15/92
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Harper:

Please be informed that I have signed House Bill 1 on July 15, 1992.

Sincerely,

STAN STEPHENS
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 63, introduced by Wallin, referred to Committee on Taxation

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Grinde in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 28 - Representative L. Nelson moved HB 28, second reading copy, be amended as follows (amendment #1):

1. Title, line 4.
Following: "ACT"
Insert: "GENERALLY REVISING THE LAWS GOVERNING THE SALARIES OF CERTAIN ELECTED OFFICIALS;"

2. Title, line 6.
Following: ";"
Insert: "PROVIDING THAT CERTAIN ELECTED STATE OFFICIALS MAY SERVE FOR NO SALARY OR FOR THE PREVIOUS YEAR'S SALARY;"

3. Title, line 7.
Following: "2-16-404"
Insert: ", 2-16-405,"

4. Page 2, line 2.
Following: line 1
Insert: "Section 2. Section 2-16-405, MCA, is amended to read:

"2-16-405. Salaries of certain elected state officials. (1) ~~The~~ Except as provided in subsection (2), the salaries paid to certain elected officials of the state of Montana for fiscal year 1992 and following years are:

	Fiscal Year 1992	Following June 30, 1992
Governor	$54,254	$55,502
Lieutenant governor	$39,218	$40,466
Attorney general	$49,593	$50,841
State auditor	$36,278	$37,526
Superintendent of public instruction	$42,929	$44,177
Public service commission chairman	$40,502	$41,750
Public service commissioners, other than chairman	$39,218	$40,466
Secretary of state	$36,278	$37,526
Clerk of the supreme court	$35,289	$36,537

(2) An elected official may serve for no salary or may elect to receive the salary paid in the previous fiscal year. An elected official shall file a written request with the state treasurer in order to serve for no salary or for the previous year's salary.""
Renumber: subsequent sections

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, J. Brown, Clark, Cobb, Cody, Cohen, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 81

Noes: D. Brown, Cocchiarella, Daily, Driscoll, Forrester, Harrington, Kadas, Kimberley, McCarthy, Pavlovich, Southworth, Wyatt.
Total 12

Voted Absentee: Cody, Aye.

Excused: Connelly, J. Johnson, J. Rice, Russell.
Total 4

Absent or not voting: Bardanouve, Benedict, Thomas.
Total 3

Representative Gould moved HB 28, second reading copy, be further amended as follows (amendment #2): Amendment #failed. (27-68)

Representative L. Nelson moved HB 28, as amended, do pass. Motion failed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Becker, Boharski, Cobb, Cody, Connelly, Davis, J. DeBruycker, R. DeBruycker, Driscoll, Elliott, Ellis, Fagg, Foster, Galvin, S. J. Hansen, H. S. Hanson, M. Hanson, Kadas, Kasten, Keller, Kilpatrick, Knox, Lee, Madison, McCulloch, Mercer, L. Nelson, T. Nelson, Peck, Phillips, Raney, S. Rice, Scott, Simpkins, Southworth, Stang, Steppler, Stickney, Wallin, Wanzenried.
Total 44

Noes: Beck, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Cromley, Daily, Darko, Dolezal, Dowell, Ellison, Feland, Forrester, Gervais, Gilbert, Gould, Grady, Grinde, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kimberley, Larson, McCaffree, McCarthy, Measure, Menahan, Messmore, Nisbet, O'Keefe, Pavlovich, Peterson, Quilici, Ream, Schye, Spring, Squires, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Whalen, Wyatt, Zook, Mr. Speaker.
Total 54

Voted Absentee: Cody, Connelly, Ayes; J. Johnson, No.

Excused: J. Rice, Russell.
Total 2

Absent or not voting: None.
Total 0

HB 58 - Representative Raney moved HB 58, second reading copy, be amended as follows (amendment #1):

1. Page 2, line 4.
Following: "permits."
Insert: "(1)"

2. Page 2, line 11.
Following: line 10
Insert: "(2) Notwithstanding the provisions of (1), the department shall proceed in a reasonable and timely manner in adopting rules implementing 75-2-215 and in processing air quality permit applications required under 75-2-211 for solid or hazardous waste incinerators."

3. Page 2, line 12.
Following: "permits."
Insert: "(1)"

4. Page 2, line 19.
Following: line 18
Insert: "(2) Notwithstanding the provisions of (1), the department shall proceed in a reasonable and timely manner in processing solid waste applications required under 75-10-221."

5. Page 2, line 20.
Following: "permits."
Insert: "(1)"

6. Page 2, line 24.
Following: line 23
Insert: "(2) Notwithstanding the provisions of (1), the department shall proceed in a reasonable and timely manner in adopting rules implementing 75-10-406 and in processing applications required under 75-10-406."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Voted Absentee: J. Johnson, Aye.

Excused: Cody, Connelly, J. Rice, Russell.
Total 4

Absent or not voting: Gervais, L. Nelson, Strizich.
Total 3

Representative Madison moved HB 58, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne,

Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Connelly, J. Johnson, Ayes.

Excused: Cody, J. Rice, Russell.
Total 3

Absent or not voting: None.
Total 0

HB 59 - Representative Madison moved HB 59 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Grady, Grinde, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, S. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 73

Noes: Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Gilbert, Gould, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, T. Nelson, Phillips, Simpkins, Steppler, Swysgood, Thoft, Tunby, Zook.
Total 23

Voted Absentee: Connelly, J. Johnson, Ayes.

Excused: Cody, J. Rice, Russell.
Total 3

Absent or not voting: S. J. Hansen.
Total 1

HB 56 - Representative Cocchiarella moved HB 56, second reading copy, be amended as follows (amendment #1):

1. Page 11, line 23.
Following: "and"
Strike: "personnel division"

Insert: "the department head"

Amendment #1 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, S. J. Hansen, Harrington, Hayne, Hoffman, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 77

Noes: Benedict, Bergsagel, Boharski, Clark, R. DeBruycker, Ellison, Grinde, H. S. Hanson, M. Hanson, R. Johnson, Knox, Lee, Peterson, Phillips, Spring, Swysgood, Thoft, Zook.
Total 18

Voted Absentee: Connelly, Aye.

Excused: Cody, J. Johnson, J. Rice, Russell.
Total 4

Absent or not voting: Bardanouve.
Total 1

Representative Cobb moved HB 56, introduced bill, be further amended (amendment #2). Amendment #2 failed as follows: (41-57)

Representative Cocchiarella moved HB 56, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt.
Total 57

Noes: Bardanouve, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Mercer, T. Nelson, O'Keefe, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook, Mr. Speaker.
Total 39

Voted Absentee: Cody, Connelly, J. Johnson, Ayes.

Excused: J. Rice, Russell.
Total 2

Absent or not voting: J. Brown, Grady.
Total 2

HB 2 SA - Representative Thoft moved Senate amendments to HB 2 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook.
Total 93

Noes: Boharski, Connelly.
Total 2

Voted Absentee: J. Johnson, Aye; Connelly, No.

Excused: Cody, J. Rice, Russell.
Total 3

Absent or not voting: McCarthy, Mr. Speaker.
Total 2

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Grinde moved the adoption of the committee report. Report adopted. (73-20)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 56 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure,

Menahan, Messmore, L. Nelson, Nisbet, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Wanzenried, Whalen, Wyatt.
Total 60

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Mercer, T. Nelson, O'Keefe, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Tunby, Wallin, Zook, Mr. Speaker.
Total 37

Voted Absentee: Cody, Connelly, J. Johnson, Ayes.

Excused: J. Rice, Russell.
Total 2

Absent or not voting: Grady.
Total 1

HB 58 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Voted Absentee: J. Johnson, Aye.

Excused: Cody, Connelly, J. Rice, Russell.
Total 4

Absent or not voting: None.
Total 0

HB 59 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg,

Feland, Forrester, Foster, Galvin, Gervais, Grady, Grinde, S. J. Hansen, Harrington, Hoffman, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 70

Noes: Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Gilbert, Gould, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, T. Nelson, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Tunby, Zook.
Total 25

Voted Absentee: J. Johnson, Aye.

Excused: Cody, Connelly, J. Rice, Russell.
Total 4

Absent or not voting: L. Nelson.
Total 1

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Bardanouve, Chairman): 7/15/92
HB 41, introduced bill, be amended as follows:

1. Title, line 9.
Strike: "$150,000"
Insert: "$100,000"

2. Title, lines 12 through 19.
Following: ";"
Strike: remainder of line 12 through line 19 in its entirety

3. Title, line 20.
Strike: ""FUND;"
Strike: "$550,000"
Insert: "$400,000"

4. Title, lines 21 through 23.
Following ";"
Strike: remainder of line 21 through line 23 in its entirety

5. Title, line 24.
Strike: "FUND;"

6. Title, line 25.
Following: "53-9-109,"
Insert: "AND"
Strike: "75-10-532, 76-13-111, 76-13-415,"

7. Title, page 2, line 1.
Strike: "76-14-112, AND 81-3-107,"

8. Page 6, line 21.
Strike: "$550,000"
Insert: "$400,000"

9. Page 7, line 14.
Strike: "$150,000"
Insert: "$100,000"

10. Page 13, line 19 through page 18, line 20.
Strike: sections 6 through 12 in their entirety
Renumber: subsequent sections

11. Page 19, line 5.
Strike: "11"
Insert: "5"

And, as amended, do pass. Report adopted.

HB 51, introduced bill, be amended as follows:

1. Title, line 7.
Strike: "A CONTINGENT"
Insert: "AN IMMEDIATE"

2. Page 2, lines 10 through 18.
Strike: section 2 in its entirety
Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Schye, Chairman): 7/15/92
HB 62, introduced bill, be amended as follows:

1. Title, line 13.
Following: "PERCENT;"
Insert: "PROVIDING FOR AN EMERGENCY BUDGET AMENDMENT TAX LEVY;"

2. Page 2, line 11.
Strike: "(1)"

3. Page 2, lines 21 through 25.
Strike: subsection (2) in its entirety

4. Page 4, line 9.
Following: "(5)"
Strike: "The"
Insert: "For fiscal year 1994 and subsequent fiscal years, the"

5. Page 4, lines 12 through 15.
Following: "81-874"
Strike: the remainder of line 12 through "year" on line 15.

6. Page 4, lines 16 and 17.
Following: "received"
Strike: the remainder of line 16 through "year" on line 17.

7. Page 4, line 25 through page 5, line 1.
Following: "received"
Strike: "in the current school fiscal year"

8. Page 5.
Following: line 4
Insert: "(7) For fiscal year 1993, the limitation of subsection (1) does not apply when the amount in excess of the limitation is equal to or less than the amounts identified by a school district as one or more of the following:

(a) any amount received under Public Law 81-874;

(b) the unused balance of any amount received:

(i) in settlement of tax payments protested in a prior school fiscal year;

(ii) in taxes from a prior school fiscal year as a result of a tax audit by the department of revenue or its agents; and

(iii) in delinquent taxes from a prior school fiscal year; or

(c) any amount received as a general bonus payment under 20-6-401."

9. Page 24.
Following: line 15
Insert: "NEW SECTION. Section 11. Emergency budget amendment tax levy. When a budget amendment has been approved by the superintendent of public instruction under 20-9-161(2) and a district does not have sufficient funds, including insurance proceeds, to finance the budget amendment, the district may levy a tax in the ensuing school year to fund the expenditures authorized by the budget amendment. The amount levied may not exceed the unfunded amount of the budget amendment."
Renumber: subsequent section

10. Page 25.
Following: line 1
Insert: "(4) [Section 11 and this section] are effective on passage and approval."

And, as amended, do pass. Report adopted.

TAXATION (Harrington, Chairman): 7/15/92
HB 15, introduced bill, be amended as follows:

1. Title, lines 6 through 8.
Strike: "USING" on line 6 through "1989" on line 8

Insert: "DEPRECIATING THE VALUE OF THE REIMBURSEMENT BY 10 PERCENT EACH YEAR"

2. Page 2, lines 7 and 8.
Strike: "current" on line 7
Insert: "county's"
Strike: "of personal property that was taxed in the county in 1989" on lines 7 and 8
Strike: "on" on line 8

3. Page 2, line 23 through page 3, line 1.
Strike: subsection (3) in its entirety
Renumber: subsequent subsections

4. Page 3, line 12.
Strike: "1990"
Insert: "1992"

5. Page 3, line 15.
Strike: "(4)"
Insert: "(3)"

6. Page 3, line 16.
Strike: "1990"
Insert: "1992"

7. Page 3, line 17.
Following: "November 30"
Insert: "for the next 9 years"

8. Page 3, line 19.
Following: "county"
Insert: "reduced by equal percentages until no reimbursement is made in the 10th year"

9. Page 3, line 20.
Strike: "1991"
Insert: "1992"

10. Page 3, line 21.
Following: "May 31"
Insert: "for the next 9 years"

11. Page 3, line 22.
Following: "county"
Insert: "reduced by equal percentages until no reimbursement is made in the 10th year"

And, as amended, do not pass. Report adopted.

HB 36, introduced bill, do not pass. Report adopted.

HB 44, introduced bill, be amended as follows:

1. Title, line 6.
Following: line 5
Insert: "THE APPLICABILITY OF"
Following: "SURTAX"
Strike: "TO 1 YEAR"
Following: ";"
Insert: "IMPOSING A 2.3 PERCENT SURTAX ON INDIVIDUAL AND CORPORATE INCOME TAXES FOR TAX YEAR 1992 AND A 4.66 PERCENT SURTAX ON INDIVIDUAL AND CORPORATE INCOME TAXES FOR TAX YEAR 1993; IMPOSING A GENERAL FUND STABILIZATION TAX ON COAL;"

2. Title, line 8.
Strike: "16-1-404,"

3. Page 2, line 2.
Strike: "7%"
Insert: "2.3% of the tax liability for tax year 1992 and a surtax of 4.66%"
Following: "liability"
Insert: "for tax year 1993"

4. Page 2, line 21.
Strike: "7%"
Insert: "for tax year 1992, 2.3% of the tax liability and, as a surtax for tax year 1993, 4.66%"

5. Page 2, line 23 through page 3, line 3.
Strike: section 4 in its entirety
Insert: "NEW SECTION. Section 4. General fund stabilization tax. (1) Each coal mine operator required to pay the severance tax under Title 15, chapter 35, shall pay a general fund stabilization tax. The general fund stabilization tax is an amount equal to 7% of the tax liability computed under 15-35-103.

(2) The tax must be deposited to the credit of the state general fund."

6. Page 7, line 20.
Strike: "16-1-404"
Insert: "16-1-403"

7. Page 7, line 21.
Strike: "this part"
Insert: "16-1-401 through 16-1-403"

8. Page 8, line 14 through page 11, line 6.
Strike: section 23 in its entirety
Renumber: subsequent sections

9. Page 16, line 16.
Strike: "29"
Insert: "28"

10. Page 21, line 10.
Strike: "34"
Insert: "33"

11. Page 23, lines 17 through 25.
Strike: sections 36 and 37 in their entirety
Renumber: subsequent sections

12. Page 24, line 3.
Strike: "39"
Insert: "36"

13. Page 25, line 2.
Strike: "chapter 35, part 1,"

14. Page 25, line 3.
Strike: ", chapter 35, part 1,"

15. Page 27, lines 11 and 14.
Strike: "29"
Insert: "28"

16. Page 27, lines 15 and 18.
Strike: "32"
Insert: "31"

17. Page 27, lines 19 and 22.
Strike: "34"
Insert: "33"

18. Page 27, line 23 and page 24, line 1.
Strike: "35"
Insert: "34"

19. Page 28, lines 2 through 9.
Strike: subsections (22) and (23) in their entirety
Renumber: subsequent subsection

20. Page 28, lines 10 and 13.
Strike: "39"
Insert: "36"

21. Page 28, line 20.
Strike: "Sections 2, 3, and"
Insert: "Section"
Strike: "terminate"
Insert: "terminates"

22. Page 28, line 21.
Following: "."
Insert: "[Sections 2 and 3] terminate upon receipt of taxes for tax year 1993."

23. Page 29, line 7.
Strike: "20, 23,"

24. Page 29, line 8.
Strike: "29"
Insert: "28"
Strike: "32"
Insert: "31"

25. Page 29, line 11.
Strike: "20, 23,"
Strike: "29"
Insert: "28"

26. Page 29, line 12.
Strike: "32"
Insert: "31"

27. Page 29, line 14.
Following: "17,"
Insert: "20,"
Following: "22"
Strike: ", 24"
Strike: "28"
Insert: "27"
Strike: "33"
Insert: "32"

28. Page 29, line 15.
Strike: "35"
Insert: "34"

29. Page 29, line 18.
Following: "17,"
Insert: "20,"
Following: "22"
Strike: ", 24"
Strike: "28"
Insert: "27"
Strike: "33"
Insert: "32"

30. Page 29, line 19.
Strike: "35"
Insert: "34"

31. Page 29, lines 21 and 24.
Strike: "38, and 39"
Insert: "35, and 36"

32. Page 30, lines 1 through 6.
Strike: subsection (7) in its entirety

And, as amended, do pass. Report adopted.

HB 48, introduced bill, be amended as follows:

1. Title, line 4.
Following: "ACT"
Insert: "RELATING TO THE ADMINISTRATION OF LIQUOR STORES AND LIQUOR STORE INVENTORY;"

2. Title, line 8.
Following: "RENEWALS;"
Insert: "REQUIRING THAT THE DEPARTMENT OF REVENUE CONDUCT ITS BIDDING PROCESS FOR LIQUOR AND TABLE WINES IN A MANNER THAT ALLOWS VENDORS OF ALL SIZES TO SELL LIQUOR AND TABLE WINES TO THE STATE; ESTABLISHING A MORATORIUM ON RULEMAKING ACTIVITIES OF THE DEPARTMENT OF REVENUE IN REFERENCE TO LIQUOR STORE INVENTORY TYPES AND SIZES;"

3. Title, line 10.
Following: "DATE"
Insert: "AND AN APPLICABILITY DATE"

4. Page 3, line 13.
Following: "(5)"
Insert: "(a)"

5. Page 3.
Following: line 15
Insert: "(b) The department shall, when issuing bids to purchase liquor or table wine, provide that the bidding process not discriminate against low-volume or small vendors and may not combine items to be purchased in such a manner as to restrict the number of vendors that would be able to submit bids."

6. Page 4.
Following: line 3
Insert: "NEW SECTION. Section 3. Temporary moratorium on rules relating to liquor inventory. The department of revenue may not promulgate, amend, or repeal any administrative rules that relate to the inventory of liquor stores and that are effective between July 1, 1992, and April 1, 1993. This withdrawal of rulemaking authority also relates to rules governing bottle sizes and types of liquor or table wine."
Renumber: subsequent section

7. Page 4, line 4.
Following: "date"
Insert: "-- applicability"
Following: "."
Insert: "(1)"

8. Page 4.
Following: line 5
Insert: "(2) [Section 3] applies to all administrative rules proposed by the department of revenue that have not been adopted before June 30, 1992."

And, as amended, do pass. Report adopted.

BILLS (Menahan, Chairman): 7/15/92
Correctly engrossed: HB 58, HB 59.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 8 a.m., Thursday, July 16, 1992. Motion carried.

House adjourned at 4:37 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

And, as amended, do pass. Report adopted.

1. Title, line
Following: "ACT"
Insert: "RELATING TO THE AD[illegible]
LIQUOR STORE INVENTORY

2. Title, line 8.
Following: "RENEWALS;"
Insert: "REQUIRING THAT [illegible] OF REVENUE
ITS BIDDING PROCESS FOR LIQUOR AND TABLE [illegible]
MANUFACTURE TO [illegible]
LIQUOR AND TABLE WINES TO THE STATE ESTABL[illegible]
DEPARTMENT OF REVENUE IN [illegible]
INVENTORY TYPES AND SIZES;"

3. Title, line 10.
Following: "ENACTING"
Insert: "AND AN APPLICABILITY DATE"

4. Page 3, line 13.
Following: "(5)"
Insert: "(a)

5. Page 3.
Following: line 15
Insert: "(b) The department shall, when issuing bids to purchase liquor or table wine, provide that the bidding process not discriminate against low volume or small vendors and may not combine items to be purchased in such a manner as to reduce the number of vendors that would be able to submit bids."

6. Page 4.
Following: line 3
Insert: "NEW SECTION. Section 3. Temporary moratorium on rules relating to liquor inventory. The department of revenue may not promulgate, amend, or repeal any administrative rules that relate to the inventory of liquor stores and that are effective between July 1, 1992, and April 1, 1993. [illegible] rulemaking authority also relates to rules governing bottle sizes [illegible] liquor or table wine."
Renumber subsequent section

7. Page 4, line 4
Following: "date"
Insert: "[illegible]
[illegible]

TENTH LEGISLATIVE DAY

Helena, Montana
July 16, 1992

House Chambers
State Capitol

House convened at 8 a.m. Mr. Speaker in the Chair. Invocation by Representative Hayne. Pledge of Allegiance to the Flag.

Roll call. All members present except Cody, Connelly, J. Johnson, Measure, Mercer, Russell, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 7/16/92
Correctly printed: HB 7, HB 41, HB 44, HB 48, HB 51, HB 62.
Correctly engrossed: HB 56.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 9:45 a.m. Motion carried.

House recessed at 8:10 a.m.

House reconvened at 9:45 a.m. Speaker Harper in the Chair.

REPORTS OF STANDING COMMITTEES

HB 15 - Representative Harrington moved the adverse committee report on HB 15 be adopted. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, D. Brown, J. Brown, Clark, Cobb, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Elliott, Ellis, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Whalen, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Boharski, Brooke, Cocchiarella, Cohen, Driscoll, Ellison, S. J. Hansen, Kadas, Larson, Raney, Ream.
Total 11

Voted Absentee: Connelly, J. Johnson, Measure, Ayes.

Excused: Cody, Mercer, Russell.
Total 3

Absent or not voting: Bardanouve, Wanzenried.
Total 2

HB 36 - Representative Harrington moved the adverse committee report on HB 36 be adopted. Motion carried as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thomas, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Bardanouve, Bergsagel, J. Brown, Clark, Cobb, R. DeBruycker, Gould, S. J. Hansen, Kasten, Peterson, Phillips, J. Rice, Simpkins, Spring, Thoft, Toole, Whalen.
Total 17

Voted Absentee: Cody, Connelly, J. Johnson, Ayes.

Excused: Measure, Mercer, Russell.
Total 3

Absent or not voting: None.
Total 0

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 7/15/92
HB 6, introduced by Thoft

House bill indefinitely postponed and returned to the House: 7/15/92
HB 25, introduced by Cody

Senate bills passed and transmitted to the House for concurrence: 7/15/92
SB 6, introduced by Towe
SB 7, introduced by Towe

House Joint Resolution concurred in as amended and returned to the House for concurrence in Senate amendments: 7/16/92
HJR 2, introduced by Gilbert

House bill concurred in and returned to the House: 7/16/92
HB 12, introduced by Bardanouve

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bills were introduced, read first time, and referred to committee:

SB 6, introduced by Towe, referred to Committee on State Administration
SB 7, introduced by Towe, referred to Committee on State Administration

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Stang in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 7 - Representative Thoft moved HB 7 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Cobb.
Total 1

Voted Absentee: Connelly, J. Johnson, Measure, Ayes.

Excused: Cody, Mercer, Russell.
Total 3

Absent or not voting: None.
Total 0

HB 41 - Representative Kadas moved HB 41, second reading copy, be amended as follows (amendment #1):

1. Title, line 24.
Following: "~~FUND;~~"

Insert: "TRANSFERRING $500,000 FROM THE HOUSING AUTHORITY ENTERPRISE FUND TO THE GENERAL FUND;"

2. Title, line 25.
Following: "53-9-109,"
Strike: "AND"

3. Title, page 2, line 1.
Following: "~~81-3-107,~~"
Insert: "AND 90-6-107,"

4. Page 18, line 22.
Following: line 21
Insert: "Section 6. Section 90-6-107, MCA, is amended to read:

"90-6-107. Deposit and expenditure of funds. (1) There is a housing authority enterprise fund in the proprietary fund type as provided for in 17-2-102(1)(b). All funds from the proceeds of bonds issued under this part, fees, and other moneys received by the board, moneys appropriated by the legislature for the use of the board in carrying out this part, and moneys made available from any other source for the use of the board shall be deposited in the housing authority enterprise fund except where otherwise provided in subsection (4) or by law. All funds deposited in the housing authority enterprise fund, except funds appropriated by the legislature for use of the board in payment of expenses incurred in carrying out this part, are continuously appropriated to and may be expended by the board for the purposes authorized in this part.

(2) There is a capital reserve account in the housing authority enterprise fund provided for in subsection (1). The capital reserve account consists of the aggregate of moneys retained by the board under existing agreements with bondholders as the minimum capital reserve requirement described in 90-6-119 for each bond issue sold by the board.

(3) Funds appropriated by the legislature for use of the board in payment of expenses incurred in carrying out this part shall be deposited in the housing authority enterprise fund. Funds expended by the board under this subsection shall be repaid by the board from the fees and charges collected under this part and from any other moneys available for such repayment in accordance with this part.

(4) On or before September 1, 1992, the board shall transfer $500,000 from the fund specified in subsection (1) to the general fund."

Renumber: subsequent sections

5. Page 19, line 5.
Strike: "5"
Insert: "6"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley,

Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Forrester, Galvin, Gervais, Gould, Grady, S. J. Hansen, Harrington, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Menahan, L. Nelson, Nisbet, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook.
Total 67

Noes: Barnett, Bergsagel, R. DeBruycker, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, Knox, Lee, Messmore, T. Nelson, O'Keefe, Peterson, Phillips, Spring, Swysgood, Thoft, Thomas, Wallin.
Total 24

Excused: Cody, Connelly, J. Johnson, Measure, Mercer, Russell.
Total 6

Absent or not voting: Boharski, Ellison, Mr. Speaker.
Total 3

Representative Kadas moved HB 41, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Grady, S. J. Hansen, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Squires, Steppler, Stickney, Strizich, Thomas, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 58

Noes: Barnett, Benedict, Bergsagel, Boharski, Bradley, D. Brown, Clark, Cobb, Connelly, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, T. Nelson, O'Keefe, Peterson, Phillips, Simpkins, Spring, Stang, Swysgood, Thoft, Tunby, Wallin, Zook.
Total 40

Voted Absentee: Cody, J. Johnson, Measure, Ayes; Connelly, No.

Excused: Mercer, Russell.
Total 2

Absent or not voting: None.
Total 0

HB 48 - Representative Harrington moved HB 48 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, R. Johnson.
Total 2

Voted Absentee: Connelly, J. Johnson, Measure, Ayes.

Excused: Cody, Mercer, Russell.
Total 3

Absent or not voting: None.
Total 0

HB 51 - Representative Kadas moved HB 51 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, Gilbert, M. Hanson.
Total 3

Voted Absentee: Cody, Connelly, J. Johnson, Measure, Ayes.

Excused: Mercer, Russell.
Total 2

Absent or not voting: J. Brown.
Total 1

HB 62 - Representative Boharski moved HB 62, second reading copy, be amended as follows (amendment #1):

1. Title, line 14.
Following: "LEVY;"
Insert: "REQUIRING THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO REQUEST AN OPINION FROM THE U.S. DEPARTMENT OF EDUCATION;"

2. Page 3, line 10.
Following: "(5)"
Strike: "and (6)"
Insert: "through (7)"

3. Page 3, line 25 and Page 4, line 1.
Following: "(3)" on Page 3, line 25
Strike: "Any unreserved fund balance that is equal to or less than the prior year's excess"
Insert: "Excess" on Page 4, line 1.

4. Page 4, line 2.
Following: "be"
Strike: "used"
Insert: "appropriated"

5. Page 25, line 17.
Following: line 16
Insert: "Section 12. Section 20-9-104, MCA, is amended to read:

"20-9-104. General fund operating reserve. (1) At the end of each school fiscal year, the trustees of each district shall designate the portion of the general fund end-of-the-year fund balance that is to be earmarked as operating reserve for the purpose of paying general fund warrants issued by the district from July 1 to November 30 of the ensuing school fiscal year. Except as provided in subsections (5) ~~and (6)~~ through (7), the amount of the general fund balance that is earmarked as operating reserve may not exceed ~~the following percentages~~ 10% of the final general fund budget for the ensuing school fiscal year:

~~(a) 35% for a district that did not receive state equalization aid during the current school fiscal year;~~

~~(b) 30% for a district that received state equalization aid equal to 25% or less of its foundation program schedule entitlement in the current school fiscal year; and~~

~~(c) 20% for a district that received state equalization aid equal to more than 25% of its foundation program schedule entitlement in the current school fiscal year.~~

(2) The amount held as operating reserve may not be used for property tax reduction in the manner permitted by 20-9-141(1)(b) for other receipts.

(3) Any unreserved fund balance that is equal to or less than the prior year's excess reserves as provided in subsection (5) may be used to reduce the permissive levy provided by 20-9-145 or to reduce the voted levy provided by 20-9-353.

(4) Any portion of the general fund end-of-the-year fund balance that is not reserved under subsection (2) or reappropriated under subsection (3) is fund balance reappropriated and must be used for property tax reduction as provided in 20-9-141(1)(b)(iii).

(5) ~~The~~ For fiscal year 1994 and subsequent fiscal years, the limitation of subsection (1) does not apply when the amount in excess of the limitation is equal to or less than one or more of the following:

(a) any amount received under Public Law 81-874 in the current school fiscal year;

(b) the unused balance of any amount received:

(i) in settlement of tax payments protested in a prior school fiscal year;

(ii) in taxes from a prior school fiscal year as a result of a tax audit by the department of revenue or its agents; and

(iii) in delinquent taxes from a prior school fiscal year; or

(c) any amount received as a general bonus payment under 20-6-401.

(6) The limitation of subsection (1) does not apply when the amount earmarked as operating reserve is $10,000 or less.

(7) A district that received Public Law 81-874 money in a prior year and that must reduce its operating reserve to 10% pursuant to this section in the next school fiscal year may consider a percentage of the unreserved fund balance to be an excess amount as provided in subsection (5). The percentage of unreserved fund balance that may be considered an excess amount is the average of the 3 previous years' ratio of total district general fund revenue to Public Law 81-874 money received."

NEW SECTION. Section 13. Superintendent to request opinion. Within 30 days of [the effective date of section 2], the superintendent of public instruction shall request an opinion from the U.S. department of education as to whether [section 12] complies with federal law for the use of Public Law 81-874 funds."

Renumber: subsequent section

6. Page 25, line 18.
Following: "applicability"
Insert: "-- contingent voidness"

7. Page 26, line 3.
Strike: "SECTION"
Insert: "Sections"
Following: "11"
Insert: ", 13,"

8. Page 26, line 5.
Following: line 4
Insert: "(5) (a) [Section 12] is effective on the date that the superintendent of public instruction certifies to the governor that written approval of [section 12] has been received from the U.S. department of education and applies to the next fiscal year.

(b) [Section 2] is void on the date that [section 12] is effective."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Cobb, Harrington, Thomas.
Total 3

Voted Absentee: Cody, Mercer, Ayes.

Excused: Connelly, J. Johnson, Russell.
Total 3

Absent or not voting: Kadas.
Total 1

Representative Schye moved HB 62, introduced bill, be further amended as follows (amendment #2):

1. Page 2, line 19.
Following: "~~within 5 days from~~"
Strike: "by"
Insert: "within 5 days from"

Amendment #2 passed as follows:

Ayes: Bachini, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Cody, Connelly, J. Johnson, Mercer, Russell.
Total 5

Absent or not voting: Bardanouve, Kadas, Lee, S. Rice.
Total 4

Representative Schye moved HB 62, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Cobb, Davis, M. Hanson.
Total 3

Voted Absentee: Cody, Connelly, J. Johnson, Measure, Mercer, Ayes.

Excused: Russell.
Total 1

Absent or not voting: None.
Total 0

HB 44 - Representative Driscoll moved HB 44, second reading copy, be amended as follows (amendment #1):

1. Page 29, line 8.
Following: "2"
Strike: ","
Insert: "and"
Strike: ", and 12"

2. Page 29, line 11.
Following: "(b)"
Strike: "["
Strike: "SECTION 12]"

3. Page 29, line 12.

Strike: line 12 in its entirety

4. Page 29, line 25.
Strike: "through 15"
Insert: ", 14"

5. Page 30, line 4.
Strike: "through 15"
Insert: ", 14"

6. Page 30, line 25.
Following: line 24
Insert: "(7)(a) [Sections 12 and 15] apply to tax liabilities for calendar quarters beginning after September 30, 1992, and before October 1, 1993.

(b) [Sections 12 and 15] terminate upon receipt of taxes for the quarter ending September 30, 1993."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: R. DeBruycker, Ellis, Hayne, R. Johnson.
Total 4

Excused: Cocchiarella, Cody, Connelly, J. Johnson, Mercer, Russell.
Total 6

Absent or not voting: Boharski, Kadas, Spring.
Total 3

Representative Ream moved HB 44, as amended, do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Whalen, Wyatt, Mr. Speaker.
Total 52

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Connelly, Davis, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, T. Nelson, Peterson, Phillips, Raney, J. Rice, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 48

Voted Absentee: Cocchiarella, Cody, J. Johnson, Russell, Ayes; Connelly, Mercer, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise, report progress and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Stang moved the adoption of the committee report. Report adopted. (51-43)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 7 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Cobb.
Total 1

Voted Absentee: Cody, Connelly, J. Johnson, Ayes.

Excused: Cocchiarella, Mercer, Russell.
Total 3

Absent or not voting: None.
Total 0

HB 41 passed as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Brooke, J. Brown, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Grady, S. J. Hansen, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Squires, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 56

Noes: Barnett, Benedict, Bergsagel, Boharski, Bradley, D. Brown, Clark, Cobb, Connelly, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, T. Nelson, O'Keefe, Peterson, Phillips, Simpkins, Spring, Stang, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 41

Voted Absentee: Cody, J. Johnson, Ayes; Connelly, No.

Excused: Cocchiarella, Mercer, Russell.
Total 3

Absent or not voting: None.
Total 0

HB 44 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Ream, S. Rice, Russell, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Whalen, Wyatt, Mr. Speaker.
Total 52

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Connelly, Davis, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, T. Nelson, Peterson, Phillips, Raney, J. Rice, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 48

Voted Absentee: Cocchiarella, Cody, J. Johnson, Russell, Ayes; Connelly, Mercer, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 48 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Bergsagel, R. Johnson.
Total 2

Voted Absentee: Cody, Connelly, J. Johnson, Ayes.

Excused: Mercer, Russell.
Total 2

Absent or not voting: None.
Total 0

HB 51 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, Gilbert, M. Hanson, Peck.
Total 4

Voted Absentee: Cody, Connelly, J. Johnson, Ayes.

Excused: Mercer, Russell.
Total 2

Absent or not voting: None.
Total 0

HB 62 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Cobb, Davis, M. Hanson, L. Nelson, Steppler.
Total 5

Voted Absentee: Cody, Connelly, J. Johnson, Ayes.

Excused: Mercer, Russell.
Total 2

Absent or not voting: Grady.
Total 1

MOTIONS

Representative Raney moved HB 5 be taken from the table in the Committee on Appropriations, printed, and placed on second reading this legislative day. Motion carried.

SPECIAL ORDERS OF THE DAY

The following sponsor was added to HB 54: Elliott.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 4 p.m. Motion carried.

House recessed at 12:35 p.m.

House reconvened at 4 p.m. Speaker Harper in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 7/16/92
Correctly engrossed: HB 7, HB 41, HB 44, HB 48, HB 51, HB 62.
Correctly printed: HB 5, HB 24, HB 27, HB 52, HB 54.

TAXATION (Harrington, Chairman): 7/16/92
HB 24, introduced bill, be amended as follows:

1. Title, lines 7 and 8.
Strike: "APPROPRIATING" on line 7 through "TAXATION;" on line 8

2. Page 1, line 22 through page 2, line 1.
Strike: "To" on page 1, line 22 through "1993." on page 2, line 1

3. Page 11, line 5.
Strike: "taxed"
Insert: "assessed for property taxation"

4. Page 11, line 21.
Strike: "used outside of the state"

5. Page 12, line 20.
Strike: "determines that"
Insert: "by administrative rule adopts"
Strike: "should be applied"

6. Page 13, lines 14 and 15.
Strike: "that" on line 14 through "taxes" on line 15

7. Page 13, line 17.
Following: "delinquent"
Insert: "and subject to penalty and interest under that section"

8. Page 14, line 13.
Strike: "30"
Insert: "31"

9. Page 14, lines 18 and 19.
Strike: "as provided in [section 10]"
Insert: "within 30 days after the tax notice is postmarked"

10. Page 15, lines 9 and 10.
Strike: "under the provisions of [section 10]"
Insert: "within 30 days after the tax notice is postmarked"

11. Page 16, lines 10 through 13.
Strike: section 15 in its entirety
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 27, introduced bill, be amended as follows:

1. Title, lines 4 through 13.
Following: "AN ACT"
Strike: "ESTABLISHING" on line 4 through "MCA" on line 13
Insert: "IMPOSING AN ALTERNATIVE MINIMUM TAX ON MONTANA INDIVIDUAL INCOME; SETTING THE ALTERNATIVE MINIMUM TAX RATE AT 8.25 PERCENT"

2. Pages 1 through 10.
Strike: everything following the enacting clause
Insert: "NEW SECTION. Section 1. Montana alternative minimum tax. (1) A minimum tax must be levied, collected, and paid for each tax year commencing after December 31, 1991, upon the income of every taxpayer subject to the provisions of this chapter.

(2) A person who is a resident of Montana shall file a Montana alternative minimum tax return if the person:

(a) is required by section 55 of the Internal Revenue Code to pay a federal alternative minimum tax; or

(b) has received interest from obligations of another state or political subdivision of another state that is exempt from taxation pursuant to section 103(a) of the Internal Revenue Code and the amount of interest exceeds:

(i) $40,000, if married and filing jointly;

(ii) $30,000, if single or head of a household;

(iii) $20,000, if married and filing separately.

(3) A person who is a nonresident or who is a part-year resident of Montana shall file a Montana alternative minimum tax return if the person has one or more tax preference items, as defined in sections 55 through 59 of the Internal Revenue Code, that are attributable to income derived from sources in this state and that income exceeds:

(a) $40,000, if married and filing jointly;

(b) $30,000, if single or head of a household;

(c) $20,000, if married and filing separately.

(4) For a resident, the taxpayer's federal alternative minimum taxable income, less the applicable exemption amount provided for in section 55 of the Internal Revenue Code, must be increased by the amount of interest received from obligations of another state or political subdivision of another state, which sum is reduced by the following:

(a) all interest received from obligations of the United States government;

(b) all railroad retirement benefits; and

(c) all income earned by an enrolled member of a federally recognized Indian tribe while living and working on a federally established Indian reservation.

(5) (a) For a nonresident or part-year resident, the taxpayer's federal alternative minimum taxable income, less the applicable exemption amount provided for in section 55 of the Internal Revenue Code, must be prorated to determine the

Montana alternative minimum taxable income. The prorated income is calculated by dividing the Montana adjusted gross income determined pursuant to 15-30-131 by the federal adjusted gross income and multiplying this percentage by the taxpayer's federal alternative minimum taxable income.

(b) The taxpayer's prorated Montana alternative minimum taxable income is then adjusted to include the interest received from obligations of another state or a political subdivision of another state if the interest is used in a trade, occupation, or business carried on in this state.

(c) The taxpayer's prorated Montana alternative minimum taxable income is then reduced by:

(i) all interest received from obligations of the United States government;

(ii) all railroad retirement benefits; and

(iii) all income earned by an enrolled member of a federally recognized Indian tribe while living and working on a federally established Indian reservation.

(d) For residents, nonresidents, and part-year residents, a tax rate of 8.25% must be applied to the Montana alternative minimum taxable income. The taxpayer shall pay the greater amount of the Montana alternative minimum tax or the tax provided for in:

(i) 15-30-111, if a resident; or

(ii) 15-30-131, if a nonresident or part-year resident.

(6) Each taxpayer shall furnish with the Montana alternative minimum tax return a copy of the federal alternative minimum tax return.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 15, chapter 30, part 1, and the provisions of Title 15, chapter 30, apply to [section 1].

NEW SECTION. Section 3. Effective date -- retroactive applicability. [This act] is effective on passage and approval and applies retroactively, within the meaning of 1-2-109, to tax years beginning after December 31, 1991."

And, as amended, do pass. Report adopted.

HB 52, introduced bill, do pass. Report adopted.
HB 54, introduced bill, do pass. Report adopted.

STATE ADMINISTRATION (J. Brown, Chairman): 7/16/92
SB 6, third reading copy, be concurred in. Report adopted.
SB 7, third reading copy, be concurred in. Report adopted.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Stang in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 2 SA - Representative Gilbert moved Senate amendments to HJR 2 be not concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: None.
Total 0

Voted Absentee: Connelly, J. Johnson, Ayes.

Excused: Cody, Mercer, Russell.
Total 3

Absent or not voting: Bradley, S. Rice.
Total 2

HB 5 - Representative Raney moved HB 5, second reading copy, be amended as follows (amendment #1):

1. Title, lines 4 and 5.
Following: "DEPARTMENT" on line 4
Strike: ", AGENCY," on lines 4 and 5.

2. Page 1, line 12.
Following: "department"
Strike: "or agency"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Brooke, Clark, R. DeBruycker, Gilbert, Phillips, Simpkins.
Total 6

Excused: Cody, Connelly, J. Johnson, Mercer, S. Rice, Russell.
Total 6

Absent or not voting: None.
Total 0

Representative Gilbert moved HB 5 be moved to the bottom of the board. Motion carried.

HB 24 - Representative Cohen moved HB 24 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Cody, J. Johnson, S. Rice, Ayes.

Excused: Connelly, Mercer, Russell.
Total 3

Absent or not voting: None.
Total 0

HB 27 - Representative Daily moved HB 27 do pass. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Brooke, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, S. Rice, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 55

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Bradley, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peterson, Phillips, Ream, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 43

Voted Absentee: Cody, Connelly, J. Johnson, S. Rice, Ayes; Mercer, No.

Excused: Russell.
Total 1

Absent or not voting: D. Brown.
Total 1

HB 52 - Representative Steppler moved HB 52, second reading copy, be amended as follows (amendment #1):

1. Title, line 8.
Following: "YEAR;"
Insert: "PROVIDING AN EXTENSION OF THE REAPPRAISAL CYCLE FOR CLASS THREE AGRICULTURAL LAND, WHICH REAPPRAISED VALUES MUST BE PLACED ON THE TAX ROLLS IN THE YEAR FOLLOWING COMPLETION OF THE REAPPRAISAL CYCLE;"

2. Page 12, line 14.
Following: line 13.
Insert: "<u>NEW SECTION.</u> Section 7. Extension of reappraisal cycle for class three land. Notwithstanding any other provisions of this code, the reappraisal cycle for class three land commencing January 1, 1986, must be extended to December 31, 1993. The new values determined during this period must be placed on the tax rolls in the year immediately following the completion of the revaluation cycle for class three land."
Renumber: subsequent sections

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Cody, Connelly, J. Johnson, Mercer, S. Rice, Russell.
Total 6

Absent or not voting: Harrington.
Total 1

Representative Cohen moved HB 52, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Peck, Peterson, Phillips, Quilici, Raney, Ream, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Benedict, Clark, Cobb, Hayne, R. Johnson, Swysgood, Thoft.
Total 7

Voted Absentee: Cody, Connelly, S. Rice, Ayes.

Excused: J. Johnson, Mercer, Russell.
Total 3

Absent or not voting: Daily, Pavlovich, J. Rice.
Total 3

HB 54 - Representative Ream moved HB 54, second reading copy, be amended as follows (amendment #1):

1. Page 6, line 7.
Following: "income."
Insert: "Interest income from installment sales of real or tangible commercial or business property located in Montana is considered income earned in Montana."

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: Cody, Connelly, J. Johnson, Mercer, S. Rice, Russell.
Total 6

Absent or not voting: Cobb, J. DeBruycker, Kadas, J. Rice, Thomas.
Total 5

Representative Ream moved HB 54, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Clark, Cobb, Hayne, Kasten, Lee, Swysgood.
Total 6

Voted Absentee: Cody, Connelly, J. Johnson, S. Rice, Ayes.

Excused: Mercer, Russell.
Total 2

Absent or not voting: Thoft.
Total 1

SB 6 - Representative Phillips moved SB 6 be concurred in. Motion failed as follows:

Ayes: Bardanouve, Barnett, Barnhart, Bergsagel, Boharski, Bradley, Clark, Cromley, R. DeBruycker, Dowell, Ellis, Fagg, Feland, Forrester, Galvin, Gilbert, Gould, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, Measure, T. Nelson, Peck, Phillips, Ream, Simpkins, Spring, Steppler, Thomas, Tunby, Whalen, Zook.
Total 41

Noes: Bachini, Beck, Becker, Benedict, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cody, Cohen, Daily, Darko, Davis, J. DeBruycker, Dolezal, Driscoll, Elliott, Ellison, Foster, Gervais, Grinde, S. J. Hansen, Harrington, Kadas, Larson, McCaffree, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Peterson, Quilici, Raney, J. Rice, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Swysgood, Thoft, Toole, Wallin, Wanzenried, Wyatt, Mr. Speaker.
Total 52

Voted Absentee: Cody, No.

Excused: Connelly, J. Johnson, Mercer, S. Rice, Russell.
Total 5

Absent or not voting: Grady, Pavlovich.
Total 2

SB 7 - Representative Kasten moved SB 7, be amended as follows (amendment #1):

1. Page 2, line 17.
Following: "governor,"
Strike: "an"
Insert: "or"

2. Page 2, line 17.
Following: "OFFICIAL,"
Strike: "AND"
Insert: "or"

3. Page 2, line 18.
Following: "OF"
Strike: "EACH"
Insert: "a"

Amendment #1 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, Schye, Scott, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Zook, Mr. Speaker.
Total 83

Noes: Barnhart, Brooke, O'Keefe, Southworth.
Total 4

Excused: Cody, Connelly, J. Johnson, Mercer, S. Rice, Russell.
Total 6

Absent or not voting: Elliott, Grady, Kadas, McCulloch, Phillips, Strizich, Wyatt.
Total 7

Representative Kasten moved SB 7, as amended, be concurred in. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Foster, Galvin, Grady, Grinde, Harrington, R. Johnson, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Toole, Wanzenried, Wyatt, Mr. Speaker.
Total 55

Noes: Bardanouve, Barnett, Boharski, Clark, R. DeBruycker, Fagg, Feland, Forrester, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Kilpatrick, Knox, Lee, McCaffree, Measure, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Whalen.
Total 35

Voted Absentee: Connelly, Aye.

Excused: Cody, J. Johnson, Mercer, S. Rice, Russell.
Total 5

Absent or not voting: J. DeBruycker, Ellis, Kadas, Strizich, Zook.
Total 5

Representative D. Brown moved to indefinitely postpone consideration of SB7. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Ellison, Foster, Galvin, Grady, Grinde, Harrington, R. Johnson, Kimberley, Larson, Madison, McCarthy, McCulloch, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, J. Rice, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Toole, Wanzenried, Wyatt, Mr. Speaker.
Total 55

Noes: Bardanouve, Barnett, Boharski, Clark, R. DeBruycker, Fagg, Feland, Forrester, Gervais, Gilbert, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, Kasten, Keller, Kilpatrick, Knox, Lee, McCaffree, Measure, T. Nelson, Peck, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Whalen.
Total 35

Voted Absentee: Connelly, Aye.

Excused: Cody, J. Johnson, Mercer, S. Rice, Russell.
Total 5

Absent or not voting: J. DeBruycker, Ellis, Kadas, Strizich, Zook.
Total 5

HB 5 - Representative Gilbert moved HB 5, introduced bill, be further amended as follows (amendment #2):

1. Page 1, line 9.
Following: line 8
Insert: "WHEREAS, the State of Montana is experiencing general fund revenue shortfalls; and

WHEREAS, specific costs for FTE positions are available for Executive Branch, Legislative Branch, and Judicial Branch agencies through the state payroll/personnel/position control system for all state employees, except the Montana University System; and

WHEREAS, reductions in the Montana University system should be proportional to the reductions made in other state agencies and exclude faculty.

THEREFORE, the Legislature of the State of Montana finds it necessary to eliminate Deputy Director and assistant administrator FTE positions."

(1) This causes an elimination of FTE's in executive branch and judicial branch agencies, including the office of the commissioner of higher education, but excluding the balance of the Montana University system and a reduction in the general fund in 1993.

(2) This causes a proportional Montana university system reduction in the general fund, which shall not result in the elimination of faculty and classified FTE's or positions.

Amendment #2 passed as follows:

Ayes: Bachini, Barnett, Beck, Becker, Benedict, Bergsagel, Boharski, D. Brown, J. Brown, Clark, Cobb, Cromley, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Larson, Lee, Madison, McCaffree, Measure, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, Raney, J. Rice, Scott, Simpkins, Southworth, Spring, Stang, Steppler, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Wyatt, Zook, Mr. Speaker.
Total 65

Noes: Barnhart, Bradley, Brooke, Cocchiarella, Cohen, Daily, Davis, Elliott, Gervais, Gould, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, McCarthy, McCulloch, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Ream, Schye, Squires, Toole, Whalen.
Total 27

Excused: Cody, Connelly, J. Johnson, Mercer, S. Rice, Russell.
Total 6

Absent or not voting: Bardanouve, Stickney.
Total 2

Representative Raney moved HB 5, as amended, do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Boharski, Cody, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, S. J. Hansen, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Keller, Kilpatrick, Knox, Larson, Lee, Madison, McCaffree, Measure, Menahan, L. Nelson, T. Nelson, Peck, Peterson, Raney, Scott, Southworth, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt.
Total 59

Noes: Barnhart, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Davis, Foster, Gould, Grady, Grinde, H. S. Hanson, Harrington, Kadas, McCarthy, McCulloch, Messmore, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Ream, J. Rice, Schye, Simpkins, Spring, Squires, Swysgood, Thoft, Wallin, Zook, Mr. Speaker.
Total 37

Voted Absentee: Cody, Connelly, J. Johnson, Ayes.

Excused: Mercer, S. Rice, Russell.
Total 3

Absent or not voting: Kimberley.
Total 1

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Stang moved the adoption of the committee report. Report adopted. (63-30)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 5 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Becker, Boharski, Cody, Cohen, Cromley, Darko, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Galvin, Gervais, Gilbert, S. J. Hansen, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kasten, Kilpatrick, Knox, Larson, Lee, Madison, McCaffree, Measure, Menahan, L. Nelson, T. Nelson, Peck, Peterson, Raney, Scott, Southworth, Stang, Steppler, Stickney, Toole, Tunby, Wanzenried, Whalen, Wyatt.
Total 54

Noes: Barnhart, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Daily, Davis, Foster, Gould, Grady, Grinde, H. S. Hanson, Harrington, Kadas, Kimberley, McCarthy, McCulloch, Messmore, Nisbet, O'Keefe, Pavlovich, Phillips, Quilici, Ream, J. Rice, Schye, Simpkins, Spring, Squires, Strizich, Swysgood, Thoft, Thomas, Wallin, Zook, Mr. Speaker.
Total 41

Voted Absentee: Cody, J. Johnson, Ayes.

Excused: Connelly, Mercer, S. Rice, Russell.
Total 4

Absent or not voting: Keller.
Total 1

HB 24 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Voted Absentee: Cody, J. Johnson, Ayes.

Excused: Connelly, Mercer, S. Rice, Russell.
Total 4

Absent or not voting: None.
Total 0

HB 52 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grady, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Phillips, Quilici, Raney, Ream, J. Rice, Schye, Scott, Simpkins, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Benedict, Clark, Cobb, R. DeBruycker, Hayne, R. Johnson, Peterson, Spring, Swysgood, Thoft, Wallin.
Total 11

Excused: Cody, Connelly, J. Johnson, Mercer, S. Rice, Russell.
Total 6

Absent or not voting: None.
Total 0

HB 54 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Cobb, Grady, Hayne, Kasten, Lee, Phillips, Swysgood, Thoft.
Total 8

Voted Absentee: Cody, J. Johnson, Ayes.

Excused: Connelly, Mercer, S. Rice, Russell.
Total 4

Absent or not voting: None.
Total 0

MOTIONS

Representative Driscoll moved the Speaker be authorized to appoint a free conference committee on House Bill 2 to meet with a like committee from the Senate. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint a free conference committee on House Joint Resolution 2 to meet with a like committee from the Senate. Motion carried.

UNFINISHED BUSINESS

Mr. Speaker appointed the following members to the free conference committee on HB 2:

Representative Ray Peck, Chairman
Representative Mike Kadas
Representative Bob Thoft

Mr. Speaker appointed the following members to the free conference committee on HJR 2:

Representative Bob Ream, Chairman
Representative Bob Gilbert
Representative Ted Schye

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 10 a.m., Friday, July 16, 1992. Motion carried.

House adjourned at 6:45 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

ELEVENTH LEGISLATIVE DAY

Helena, Montana
July 17, 1992

House Chambers
State Capitol

House convened at 10 a.m. Mr. Speaker in the Chair. Invocation by Representative Whalen. Pledge of Allegiance to the Flag.

Roll call. All members present except Cody, Connelly, J. Johnson, and Russell, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 7/17/92
Correctly engrossed: HB 5, HB 24, HB 52, HB 54.
Correctly enrolled: HB 12.
Examined by the sponsor and found to be correct:
HB 6 - Thoft
HB 12 - Bardanouve

MOTIONS

Representative Hoffman moved HB 22 be taken from the table of the Committee on Education and Cultural Resources, be printed, and placed on second reading this legislative day. Motion carried. (68-27)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 11:15 a.m. Motion carried.

House recessed at 10:35 a.m.

House reconvened at 11:15 a.m. Speaker Harper in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 7/17/92
Correctly printed: HB 22.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative J. Rice in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 22 - Representative Hoffman moved HB 22 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Bergsagel, Boharski, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, Darko, R. DeBruycker,

Dolezal, Driscoll, Elliott, Ellis, Ellison, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Knox, Larson, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, Nisbet, Peck, Peterson, Phillips, Raney, Ream, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 61

Noes: Barnhart, Becker, Benedict, Bradley, Brooke, D. Brown, Connelly, Daily, Davis, J. DeBruycker, Dowell, Fagg, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, Kilpatrick, Kimberley, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, O'Keefe, Pavlovich, Quilici, J. Rice, S. Rice, Schye, Scott, Southworth, Strizich, Thomas, Whalen, Wyatt.
Total 37

Voted Absentee: Cody, Aye; Connelly, No.

Excused: J. Johnson, Russell.
Total 2

Absent or not voting: None.
Total 0

HB 32 - Representative L. Nelson moved HB 32 do pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Cobb, Grady, Simpkins, Swysgood, Thoft.
Total 5

Voted Absentee: Cody, Connelly, Ayes.

Excused: J. Johnson, Russell.
Total 2

Absent or not voting: Kadas.
Total 1

Representative Driscoll moved the committee rise, report progess and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr.

Speaker in the Chair. Chairman J. Rice moved the adoption of the committee report. Report adopted. (81-14)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 27 passed as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 51

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Bradley, D. Brown, Clark, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 45

Voted Absentee: Connelly, Aye.

Excused: Cody, J. Johnson, Russell.
Total 3

Absent or not voting: Kadas.
Total 1

HB 22 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Beck, Bergsagel, Boharski, J. Brown, Clark, Cobb, Cocchiarella, Cody, Cohen, Cromley, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Larson, Lee, McCaffree, Mercer, L. Nelson, T. Nelson, Nisbet, Peck, Peterson, Phillips, Raney, Ream, Simpkins, Spring, Squires, Stang, Steppler, Stickney, Swysgood, Thoft, Toole, Tunby, Wallin, Wanzenried, Zook, Mr. Speaker.
Total 59

Noes: Barnhart, Becker, Benedict, Bradley, Brooke, D. Brown, Connelly, Daily, Darko, Davis, J. DeBruycker, Dowell, Fagg, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, Kilpatrick, Kimberley, Madison, McCarthy, McCulloch, Measure, Menahan, Messmore, O'Keefe, Pavlovich, Quilici, J. Rice, S. Rice, Schye, Scott, Southworth, Strizich, Thomas,

Whalen, Wyatt.
Total 38

Voted Absentee: Cody, Aye; Connelly, No.

Excused: J. Johnson, Russell.
Total 2

Absent or not voting: Kadas.
Total 1

HB 32 passed as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Forrester, Foster, Galvin, Gervais, Gilbert, Gould, Grinde, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Phillips, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Cobb, Grady, Swysgood, Thoft.
Total 4

Voted Absentee: Cody, Connelly, Ayes.

Excused: J. Johnson, Russell.
Total 2

Absent or not voting: Kadas.
Total 1

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 7/17/92

HJR 1, introduced by Harper
HB 58, introduced by Madison
HB 59, introduced by Madison

House bill not concurred in and returned to the House: 7/17/92
HB 56, introduced by Cocchiarella

Senate bill passed and transmitted to the House for concurrence: 7/17/92

SB 10, introduced by Keating

The Senate, on 7/17/92, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 2.

President Mazurek appointed the following members:

Senator Judy Jacobson, Chairman
Senator Greg Jergeson
Senator Dennis Nathe

The Senate, on 7/17/92, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HJR 2.

President Mazurek appointed the following members:

Senator Thomas Towe, Chairman
Senator Dorothy Eck
Senator Delwyn Gage

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SB 10, introduced by Keating, referred to Committee on Appropriations

MOTIONS

Representative Pavlovich moved HB 38 and HB 39 be taken from the table in the Committee on Taxation, printed, and placed on second reading this legislative day. Motion failed. (23-71)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 4 p.m. Motion carried.

House recessed at 12:15 p.m.

House reconvened at 4 p.m. Speaker Harper in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 7/17/92
Correctly engrossed: HB 22, HB 27, HB 32.
Correctly enrolled: HB 12, HB 58, HB 59, HJR 1.
Signed by the Speaker at 12 noon, 7/17/92: HB 6.
Signed by the Speaker at 3:18 p.m., 7/17/92: HB 12.
Delivered to the Governor for his approval at 1:46 p.m., 7/17/92: HB 6.

APPROPRIATIONS (Bardanouve, Chairman): 7/17/92
SB 10, third reading copy, be concurred in. Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative J. Rice in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 10 - Representative Cobb moved SB 10 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, J. Brown, Clark, Cobb, Cohen, Cromley, Davis, R. DeBruycker, Dolezal, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Harrington, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, McCarthy, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Peck, Peterson, Phillips, Raney, J. Rice, S. Rice, Simpkins, Southworth, Spring, Stang, Steppler, Stickney, Swysgood, Thoft, Thomas, Toole, Tunby, Wallin, Wyatt, Zook.
Total 69

Noes: Brooke, D. Brown, Cocchiarella, Daily, Darko, Dowell, Driscoll, Forrester, Galvin, Gervais, S. J. Hansen, McCaffree, McCulloch, Measure, O'Keefe, Pavlovich, Quilici, Ream, Schye, Scott, Squires, Whalen, Mr. Speaker.
Total 23

Excused: Cody, Connelly, J. Johnson, Russell.
Total 4

Absent or not voting: J. DeBruycker, Madison, Strizich, Wanzenried.
Total 4

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman J. Rice moved the adoption of the committee report. Report adopted. (81-15)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 10 concurred in as follows:

Ayes: Bachini, Bardanouve, Barnett, Barnhart, Beck, Becker, Benedict, Bergsagel, Boharski, Bradley, J. Brown, Clark, Cobb, Cody, Cohen,

Cromley, Davis, J. DeBruycker, R. DeBruycker, Dolezal, Driscoll, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kadas, Kasten, Keller, Kimberley, Knox, Larson, Lee, Madison, Menahan, Mercer, Messmore, L. Nelson, T. Nelson, Nisbet, Peck, Peterson, Phillips, Raney, J. Rice, S. Rice, Simpkins, Southworth, Spring, Stang, Steppler, Stickney, Strizich, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Wyatt, Zook.
Total 71

Noes: Brooke, D. Brown, Cocchiarella, Daily, Darko, Dowell, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, Kilpatrick, McCaffree, McCarthy, McCulloch, Measure, O'Keefe, Pavlovich, Quilici, Ream, Schye, Scott, Squires, Toole, Whalen, Mr. Speaker.
Total 26

Voted Absentee: Cody, Aye.

Excused: Connelly, J. Johnson, Russell.
Total 3

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 5:45 p.m. Motion carried.

House recessed at 4:45 p.m.

House reconvened at 5:45 p.m. Speaker Harper in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman):
Delivered to the Governor for his approval at 4:16 p.m., 7/17/92: HB 12.

MESSAGES FROM THE SENATE

7/17/92
On motion duly carried this day, the Senate requested the return of House Bill 59 for further consideration.

MOTIONS

Representative Madison moved the House accede to the request of the Senate to return HB 59. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House adjourn until 9 a.m., Saturday, July 18, 1992. Motion carried.

House adjourned at 6 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

TWELFTH LEGISLATIVE DAY

Helena, Montana
July 18, 1992

House Chambers
State Capitol

House convened at 9 a.m. Mr. Speaker in the Chair. Invocation by Representative Lee. Pledge of Allegiance to the Flag.

Roll call. All members present except Cody, Connelly, J. Johnson, Russell, excused. Quorum present.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 7/17/92

HB 7, introduced by Thoft
HB 51, introduced by Kadas

House bills concurred in as amended and returned to House for concurrence in Senate amendments: 7/17/92

HB 41, introduced by Kadas
HB 44, introduced by Ream

House bill not concurred in and returned to the House: 7/17/92

HB 5, introduced by Raney

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 10:30 a.m. Motion carried.

House recessed at 9:20 a.m.

House reconvened at 10:30 a.m. Speaker Harper in the Chair.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 7/18/92

HB 24, introduced by Cohen
HB 52, introduced by Quilici
HB 54, introduced by Ream

7/18/92
House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

HB 48, introduced by Harrington
HB 59, introduced by Madison

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 41 SA - Representative Kadas moved Senate amendments to HB 41 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, Hayne, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 61

Noes: Barnett, Benedict, Bergsagel, Boharski, Bradley, D. Brown, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hoffman, R. Johnson, Kasten, Keller, Knox, Mercer, T. Nelson, O'Keefe, Peterson, Phillips, Simpkins, Spring, Swysgood, Thoft, Thomas.
Total 33

Voted Absentee: Connelly, Aye.

Excused: Cody, Grady, J. Johnson, Russell.
Total 4

Absent or not voting: Lee, McCarthy.
Total 2

HB 48 SA - Representative Harrington moved Senate amendments to HB 48 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, Hoffman, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Schye, Scott, Southworth, Squires, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 56

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S.

Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Stang, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 40

Voted Absentee: Connelly, Aye.

Excused: Cody, Grady, J. Johnson, Russell.
Total 4

Absent or not voting: None.
Total 0

HB 59 SA - Representative Madison moved Senate amendments to HB 59 be concurred in. Motion carried as follows:

Ayes: Bachini, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, S. J. Hansen, H. S. Hanson, M. Hanson, Harrington, Hoffman, Kasten, Keller, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Toole, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Barnett, Bergsagel, R. DeBruycker, Ellison, Feland, Gilbert, Grinde, Hayne, R. Johnson, T. Nelson, Phillips, Swysgood, Thoft, Tunby.
Total 14

Voted Absentee: Connelly, Aye.

Excused: Cody, Grady, J. Johnson, Russell.
Total 4

Absent or not voting: Bardanouve, Kadas, Mercer.
Total 3

Representative Driscoll moved the committee rise, report progress and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report. Report adopted. (57-37)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 41 SA concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Brooke, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Messmore, Nisbet, Pavlovich, Peck, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 54

Noes: Barnett, Benedict, Bergsagel, Boharski, Bradley, D. Brown, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, L. Nelson, T. Nelson, O'Keefe, Peterson, Phillips, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 40

Voted Absentee: Connelly, Aye.

Excused: Cody, Grady, J. Johnson, Russell.
Total 4

Absent or not voting: Elliott, Kadas.
Total 2

HB 48 SA concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Gould, S. J. Hansen, Harrington, Hoffman, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Schye, Scott, Southworth, Squires, Steppler, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 57

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Stang, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 38

Voted Absentee: Connelly, Aye.

Excused: Cody, Grady, J. Johnson, Russell.
Total 4

Absent or not voting: Kadas.
Total 1

HB 59 SA concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Boharski, Bradley, Brooke, D. Brown, J. Brown, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Galvin, Gervais, Gould, S. J. Hansen, H. S. Hanson, Harrington, Hoffman, Kilpatrick, Kimberley, Knox, Larson, Lee, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Mercer, Messmore, L. Nelson, Nisbet, O'Keefe, Pavlovich, Peck, Peterson, Quilici, Raney, Ream, J. Rice, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Strizich, Thomas, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 76

Noes: Barnett, Bergsagel, Clark, R. DeBruycker, Ellison, Feland, Gilbert, Grinde, M. Hanson, Hayne, R. Johnson, Kasten, Keller, T. Nelson, Phillips, Swysgood, Thoft, Toole, Tunby.
Total 19

Voted Absentee: Connelly, Aye.

Excused: Cody, Grady, J. Johnson, Russell.
Total 4

Absent or not voting: Kadas.
Total 1

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 12 noon. Motion carried.

House recessed at 11:05 a.m.

House reconvened at 12 noon. Speaker Harper in the Chair.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 7/18/92

HB 22, introduced by Hoffman

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 7/18/92

HB 62, introduced by Schye

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 2 p.m. Motion carried.

House recessed at 12:10 p.m.

House reconvened at 2 p.m. Speaker Harper in the Chair.

Representative Grady present at this time.

Representative Gould excused at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 7/18/92
Signed by the Speaker at 12:44 p.m., 7/18/92: HB 51, HB 58, HJR 1.

SPECIAL ORDERS OF THE DAY

IN CELEBRATION OF
THE MARRIAGE OF
JEANNE AMSBERRY AND WILBUR SPRING

WHEREAS, the Second 1992 Special Legislative Session has been replete with conflict and consternation, which was greatly evident on Friday, July 17, 1992; and

WHEREAS, July 17, 1992, also marks the day of the marriage of Jeanne Amsberry of Helena and Representative Wilbur Spring of Belgrade; and

WHEREAS, July 17 is also notable as the birthday of the new Mrs. Spring; and

WHEREAS, the celebration of the Amsberry/Spring union brings needed joy to the halls of the Capitol; and

WHEREAS, Jeanne Amsberry, in her varied service to state government and the community of Helena, has brightened the lives of many, culminating in the glorious gala commemoration of Montana's Centennial; and

WHEREAS, Representative Wilbur Spring has been a vital member of the community of Belgrade where he served for many years as a school board trustee and spokesman for the ranching industry, as well as lightening the hearts of weary legislators and staff in Helena as the star of "Billy Waldo and the Flying Grizzlies"; and

WHEREAS, the Amsberry/Spring union proves that love blooms not only in the Spring but also in the Amsberry.

NOW, THEREFORE, BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the friends and colleagues of Jeanne Amsberry and Wilbur Spring delight in their joy.

BE IT FURTHER RESOLVED, that the House of Representatives celebrates and commemorates July 17, 1992, as a day in which partisanship and politics took a back seat to the essential human spirit of love and hope that unites us all.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 7/18/92
Correctly enrolled: HB 51, HB 58, HJR 1.

REPORTS OF SELECT COMMITTEES

Conference Committee
on HJR 2
Report No. 1, July 18, 1992

Mr. Speaker and Mr. President:

We, your Conference Committee on HJR 2, met and considered House Joint Resolution 2 and recommend that HJR 2 (reference copy -- salmon) be amended as follows:

1. Page 3, line 4.
Strike: "$492,883,000"
Insert: "$493,598,000"

2. Page 3, line 6.
Strike: "$372,561,000"
Insert: "$372,846,000"

3. Page 3.
Following: line 13
Insert: "BE IT FURTHER RESOLVED, that the Board of Examiners, prior to issuing tax and revenue anticipation notes (TRANS) to investors outside of state government, look to borrowable funds within the various funds and accounts in the state treasury, including funds that can be borrowed from the board of investments as an investment by the Board of Investments at market interest rates and consistent with the prudent investor rule. Additionally, that the total net income potentially available to the State of Montana, including any arbitrage obtainable and all of the costs associated with issuing TRANS, be recognized by the Board of Examiners and by the Board of Investments and its staff when issuing TRANS or borrowing money from within the state treasury.

BE IT FURTHER RESOLVED, that all borrowable funds within the state treasury be taken into account in determining the cash balance available within the state treasury."

4. Page 4, line 25.
Strike: "$15,397"

Insert: "$16.397"

5. Page 7, line 17.
Strike: "$210.821"
Insert: "$211.449"
Strike: "$395.479"
Insert: "$396.107"

6. Page 7, line 25.
Strike: "44.743"
Insert: "44.830"
Strike: "86.258"
Insert: "86.345"

7. Page 8, line 25.
Strike: "$492.883"
Insert: "$493.598"
Strike: "$947.895"
Insert: "$948.610"

8. Page 9, line 9.
Strike: "$95.675"
Insert: "$95.960"
Strike: "$179.476"
Insert: "$179.761"

9. Page 9, line 23.
Strike: "$264.340"
Insert: "$264.625"
Strike: "$518.365"
Insert: "$518.650"

10. Page 10, line 14.
Strike: "$372.561"
Insert: "$372.846"
Strike: "$738.126"
Insert: "$738.411"

11. Page 10, line 18.
Strike: "$865.444"
Insert: "$866.444"
Strike: "$1,686.021"
Insert: "$1,687.021"

And that this Conference Committee report be adopted.

For the House:	For the Senate:
Representative Bob Ream, Chair	Senator Tom Towe, Chair
Representative Bob Gilbert	Senator Delwyn Gage
Representative Ted Schye	Senator Dorothy Eck

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 44 SA - Representative Ream moved Senate amendments to HB 44 be concurred in. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Russell, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Whalen, Wyatt, Mr. Speaker.
Total 51

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Davis, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 46

Voted Absentee: Connelly, J. Johnson, Russell, Ayes.

Excused: Cody, Gould.
Total 2

Absent or not voting: Schye.
Total 1

HB 62 SA - Representative Schye moved Senate amendments to HB 62 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Ream, S. Rice, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 55

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Davis, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R.

Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, Raney, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 42

Voted Absentee: Connelly, J. Johnson, Ayes; Gould, No.

Excused: Cody, Russell.
Total 2

Absent or not voting: Larson.
Total 1

HJR 2 FCC - Representative Gilbert moved the free conference committee report on HJR 2 be adopted. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, L. Nelson, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Schye, Scott, Southworth, Squires, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 53

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Davis, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, T. Nelson, Peck, Peterson, Phillips, J. Rice, Simpkins, Spring, Stang, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 41

Voted Absentee: Connelly, Aye.

Excused: Cody, Gould, J. Johnson, Russell.
Total 4

Absent or not voting: Harrington, McCaffree.
Total 2

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Speaker Pro Tem in the Chair. Chairman Harrington moved the adoption of the committee report. Report adopted. (53-41)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 44 SA concurred in as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Raney, Ream, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Whalen, Wyatt, Mr. Speaker.
Total 50

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Davis, J. DeBruycker, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, McCaffree, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Wallin, Wanzenried, Zook.
Total 46

Voted Absentee: Connelly, Aye; Gould, No.

Excused: Cody, J. Johnson, Russell.
Total 3

Absent or not voting: S. Rice.
Total 1

HB 62 SA concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Dolezal, Dowell, Driscoll, Elliott, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Peck, Quilici, Ream, S. Rice, Schye, Scott, Southworth, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Whalen, Wyatt, Mr. Speaker.
Total 55

Noes: Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Davis, J. DeBruycker, R. DeBruycker, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, L. Nelson, T. Nelson, Peterson, Phillips, Raney, J. Rice, Simpkins, Spring, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 41

Voted Absentee: Connelly, Aye; Gould, No.

Excused: Cody, J. Johnson, Russell.
Total 3

Absent or not voting: Wanzenried.
Total 1

HJR 2 FCC adopted as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Forrester, Galvin, Gervais, Grady, S. J. Hansen, Harrington, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, O'Keefe, Pavlovich, Quilici, Raney, Ream, S. Rice, Schye, Scott, Southworth, Squires, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 54

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Davis, R. DeBruycker, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, L. Nelson, T. Nelson, Peck, Peterson, Phillips, J. Rice, Spring, Stang, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 41

Voted Absentee: Connelly, Aye.

Excused: Cody, Gould, J. Johnson, Russell.
Total 4

Absent or not voting: Simpkins.
Total 1

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 3:45 p.m. Motion carried.

House recessed at 3:16 p.m.

House reconvened at 4:30 p.m. Speaker Harper in the Chair.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Driscoll moved the House recess until 5:15 p.m. Motion carried.

House recessed at 4:32 p.m.

House reconvened at 5:15 p.m. Speaker Harper in the Chair.

Representative Pavlovich excused at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 7/18/92
Correctly enrolled: HB 7, HB 22, HB 24, HB 41, HB 48, HB 52, HB 54, HB 59.
Examined by the sponsor and found to be correct:
HB 7, examined by Thoft
HB 22, examined by Hoffman
HB 24, examined by Cohen
HB 41, examined by Kadas
HB 48, examined by Harrington
HB 52, examined by Cohen
HB 54, examined by Ream
HB 59, examined by Madison

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on HB 2
Report No. 1, July 18, 1992

Mr. Speaker and Mr. President:

We, your Free Conference Committee, met and considered House Bill No. 2 and recommend that House Bill No. 2 (reference copy -- salmon) be amended as follows:

1. Title, line 8.
Strike: "AND"
Following: "11,"
Insert: "AND 14,"

2. Title, line 9.
Strike: "REPEALING" through "1991;"

3. Page BP-1, lines 18 through 27.
Strike: section 2 in its entirety
Insert: "NEW SECTION. Section 2. Agency management responsibility. For fiscal 1993, as a result of the fiscal condition of the state and the significant budget reductions required for all state agencies, the legislature, meeting in the July 1992 special session:

(1) expresses its intent that each state agency is expected to manage its available resources prudently to avoid, to the maximum extent feasible, requiring fiscal 1993 general fund supplemental appropriations requests that are to be stringently analyzed prior to consideration by the 53rd legislature; and

(2) approves flexible management responsibility, within the constraints of this section, subject to the limitations of 17-7-138 and 17-7-139, for each agency in order that the agency may adjust spending authority within and among programs for personal services, operating expenses, equipment, capital outlay, grants, and transfers."

4. Page BP-4, line 17.
Following: "FTEs"
Insert: "and agencies allocated to a department for administrative purposes only in accordance with 2-15-121"

5. Page BP-4, line 17.
Following: "section"
Insert: "For the purposes of this section and the calculations required in this section, personal services do not include per diem compensation paid to board members, council members, commission members, or legislators."

6. Page BP-4.
Following: line 17
Insert: "NEW SECTION. Section 14. Deposit of available cash in the general fund and the school equalization accounts. (1) The department of administration is directed to ensure that all available cash from the following revenue sources attributable to fiscal 1993 be deposited in the general fund and the school equalization aid account by June 30, 1993:

(a) insurance premium tax ($5.5 million);
(b) permanent coal tax trust interest ($6.6 million);
(c) liquor excise tax ($0.5 million); and
(d) common school permanent trust interest and income ($4.7 million).

(2) The amount shown for each revenue source in subsections (1)(a) through (1)(d) is based on the estimate prepared by the department of administration."
Renumber: subsequent sections

7. Page A-9.
Strike: lines 23 and 24 in their entirety

8. Page A-22, following line 9.
Insert: "g. Implement HB 44 and HB 54 (line item) 50,000" (general fund, fiscal 1993)

9. Page A-22, line 12.
Strike: "1,124,159"
Insert: "1,238,282"

10. Page A-22, following line 25.
Insert: "9. Implement HB 24 - Freight Line Tax (Line Item) $35,000" (general fund, fiscal 1993)

11. Page A-23, line 3.
Strike: "801,142"
Insert: "674,476"

12. Page A-27.
Strike: line 25 in its entirety

13. Page A-28.

Strike: lines 6 and 7 in their entirety

14. Page B-2, line 3.
Strike: "814,875" (General Fund Fiscal 1993)
Insert: "704,875" (General Fund Fiscal 1993)

15. Page B-2, line 3.
Strike: "1,401,616" (State Special Fiscal 1993)
Insert: "1,511,616" (State Special Fiscal 1993)

16. Page B-7.
Following: line 10
Insert: "The appropriation in item 3 in the fiscal year 1993 state special revenue column includes $110,000 to be generated by increased fees in the air quality bureau."

17. Page B-9.
Strike: line 25 in its entirety

18. Page B-10.
Strike: line 1 in its entirety

19. Page B-11, line 1.

Strike: "0"	"0"	"0"	"0"
Insert: "814,731"	"53,684"	"2,187,605"	"3,056,020"

20. Page B-11, line 20.
Strike: "53,861,591" (general fund 1993)
Insert: "53,745,591" (general fund 1993)

21. Page B-15, line 24.
Strike: "38%"
Insert: "40.5%"

22. Page C-13, line 5.

Strike: "62,714	352,623"	(General Fund, State Special)
Insert: "415,337"		(State Special)

23. Page C-13, line 11.

Strike: "314,978	453,263"	(General Fund, State Special)
Insert: "127,692	640,549"	(General Fund, State Special)

24. Page C-14, following line 21.
Insert: "In implementing the appropriation in item 1, the department shall apportion $62,714 of state special revenue funding to the various special levies collected, based upon the percentage of support from centralized services for the support of the activity supported by the levy.

In implementing the increase in state special revenue funding in item 2, the department shall use existing balances in the state special revenue accounts from levies designated to support the activity."

25. Page D-3, line 24.
Strike: "1,559" (State Special)
Insert: "4,559" (State Special)

26. Page D-3, line 25.
Strike: "31,316" (Proprietary)
Insert: "28,316" (Proprietary)

27. Page D-5, line 16.
Strike: "0" (general fund 1993)
Insert: "26,910" (general fund 1993)

28. Page E-1, line 18.
Following: "travel,"
Strike: "and"
Following: "new programs"
Strike: ", and nonself-supporting"

29. Page E-1, line 19.
Strike: "athletics programs"

30. Page E-1, line 24.

Strike: "3,226,901	388,021	8,768,032"
Insert: "3,540,725	470,021	9,163,856"

31. Page E-2, line 1.

Strike: "3,020,656	8,378,443"
Insert: "3,199,214	8,557,001"

32. Page E-2, line 5.
Following: "Education"
Strike: "(Line Item)"

33. Page E-2, line 7.
Following: "Biennial"
Strike: "(Line Item)"

34. Page E-2, line 9.
Following: "Transportation"
Strike: "(Line Item)"

35. Page E-2, line 12.
Following: "Lunch"
Strike: "(Line Item)"

36. Page E-2, line 14.
Following: "Talented"
Strike: "(Line Item)"

37. Page E-2, line 16.
Following: "Biennial"
Strike: "(Line Item)"

38. Page E-2, line 18.
Following: "Education"
Strike: "(Line Item)"

39. Page E-2, line 20.
Following: "Aid"
Strike: "(Line Item)"

40. Page E-2, line 22.
Following: "Biennial"
Strike: "(Line Item)"

41. Page E-2, line 24.
Following: "Biennial"
Strike: "(Line Item)"

42. Page E-3, line 1.
Following: "Biennial"
Strike: "(Line Item)"

43. Page E-3, line 3.
Following: "Biennial"
Strike: "(Line Item)"

44. Page E-3, line 5.
Following: "Biennial"
Strike: "(Line Item)"

45. Page E-3, line 7.
Following: "Biennial"
Strike: "(Line Item)"

46. Page E-3, line 9.
Following: "Biennial"
Strike: "(Line Item)"

47. Page E-3, line 11.
Following: "Biennial"
Strike: "(Line Item)"

48. Page E-3, line 13.
Following: "Biennial"
Strike: "(Line Item)"

49. Page E-3, line 16.
Strike: "24,130,000"
Insert: "32,000,000"

50. Page E-4.
Following: line 17
Insert: "The agency may transfer funds among the items listed in 2a through 2q and between items 1 and 2, subject to the limitations of 17-7-139."

51. Page E-12, following line 15.
Insert: "It is the intent of the 52nd legislature that the board of regents examine all revenue sources, including fees from students and other revenue sources not presently recognized within the formula funding of the Montana university system. It is the further intent that the board of regents utilize all possible economies and methods that will preserve access to and not limit enrollment of the units of the Montana university system. More specifically:

(1) before any major downsizing of student populations, there must be an independent evaluation of all student fees not within formula funding to determine if said fees should be placed within the formula. If more fees are appropriately placed within the formula, university units may be much closer to peer averages and there may be no need to reduce the current student population levels. The evaluation must be given to appropriate legislative committees.

(2) evaluation of appropriate student populations for each unit of the Montana university system must be conducted to determine how to best achieve optimum economies of scale for both benefits and costs; and

(3) a review of the western undergraduate exchange (WUE) program must be conducted to determine if the admission of nonresident students under the WUE program should be limited to parity participation to ensure that Montana resident students are not denied admission to their own institutions."

52. Page E-12, line 16.
Following: "IN"
Strike: "EITHER FISCAL 1992 OR"

53. Page OA-7, line 24.
Strike: section 7 in its entirety
Insert: "NEW SECTION. Section 7. Section 14, Chapter 13, Special Laws of January 1992, is amended to read:

"Section 14. Section 1, Chapter 820, Laws of 1991, is amended to read:

"Section 1. Appropriation. There is appropriated from the general fund ~~$700,000~~ ~~$644,000~~ $500,000 to the department of commerce for the Lewis and Clark national historic trail interpretive center for the biennium ending June 30, 1993. The money, along with the $300,000 of other funds specified in [section 2], is to be used to match federally appropriated funds on an 8-to-1 basis. The department of commerce shall administer the appropriation to add another tourism destination attraction in Montana. The department of commerce shall distribute the money for planning, design, and all phases of construction for a Lewis and Clark national historic trail interpretive center, as authorized in Public Law 100-552.""
Renumber: subsequent section

LFA will amend totals.

In recognition of the fact that enactment of Senate Bill No. 10 will reduce fiscal 1993 general fund costs for the State Medical program by $1.6 million, the Office of the Legislative Fiscal Analyst is instructed to reduce the projected fiscal 1993 general fund supplemental appropriation by $1.5 million.

The legislative fiscal analyst is directed to reduce fiscal 1993 supplementals included in the status sheet by $2.2 million in recognition of the fact that the office of public instruction will reduce fiscal 1993 foundation payments in three counties by $2.2 million to compensate for overpayment in fiscal 1992.

And that this Free Conference Committee report be adopted.

For the House:

Representative Ray Peck, Chair
Representative Mike Kadas

For the Senate:

Senator Judy Jacobson, Chair
Senator Greg Jergeson

MESSAGES FROM THE SENATE

7/18/92

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

HB 8, introduced by Bardanouve

Free Conference Committee Report No. 1 on HB 2, was adopted on July 18, 1992, on Third Reading by the Senate.

Free Conference Committee Report No. 1 on HJR 2, was adopted on July 18, 1992, on Third Reading by the Senate.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Driscoll moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 8 SA - Representative Bardanouve moved Senate amendments to HB 8 be concurred in. Motion carried as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Benedict, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cobb, Cocchiarella, Cohen, Connelly, Cromley, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Ellis, Fagg, Forrester, Foster, Gilbert, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Hayne, Hoffman, J. Johnson, R. Johnson, Kadas, Keller, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCulloch, Measure, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Peck, Quilici, Raney,

Ream, S. Rice, Schye, Scott, Simpkins, Southworth, Spring, Squires, Stang, Steppler, Stickney, Thomas, Toole, Tunby, Wallin, Wanzenried, Whalen, Wyatt, Zook, Mr. Speaker.
Total 74

Noes: Barnett, Boharski, Daily, Davis, R. DeBruycker, Ellison, Feland, Galvin, Gervais, Grinde, Harrington, Kasten, Larson, McCarthy, Menahan, Nisbet, Pavlovich, Peterson, Phillips, J. Rice, Strizich, Swysgood, Thoft.
Total 23

Voted Absentee: Connelly, J. Johnson, Ayes; Pavlovich, No.

Excused: Cody, Gould, Russell.
Total 3

Absent or not voting: None.
Total 0

HB 2 FCC - Representative Peck moved the free conference committee report on HB 2 be adopted. Motion carried as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Driscoll, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 52

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, J. DeBruycker, R. DeBruycker, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 47

Voted Absentee: Connelly, J. Johnson, Pavlovich, Ayes; Cody, Gould, Noes.

Excused: Russell.
Total 1

Absent or not voting: None.
Total 0

Representative Driscoll moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report. Report adopted. (50-44)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 8 SA concurred in as follows:

Ayes: Bachini, Bardanouve, Barnhart, Beck, Becker, Bergsagel, Bradley, Brooke, D. Brown, J. Brown, Clark, Cocchiarella, Cody, Cohen, Connelly, Cromley, Darko, J. DeBruycker, Dolezal, Dowell, Driscoll, Elliott, Forrester, Grady, S. J. Hansen, H. S. Hanson, M. Hanson, Hoffman, J. Johnson, R. Johnson, Kadas, Kilpatrick, Kimberley, Knox, Lee, Madison, McCaffree, McCulloch, Measure, Messmore, L. Nelson, T. Nelson, O'Keefe, Peck, Quilici, Raney, Ream, S. Rice, Schye, Scott, Simpkins, Squires, Stang, Steppler, Stickney, Strizich, Toole, Wallin, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 62

Noes: Barnett, Benedict, Boharski, Cobb, Daily, Davis, R. DeBruycker, Ellis, Ellison, Feland, Foster, Galvin, Gervais, Gilbert, Grinde, Harrington, Hayne, Kasten, Keller, Larson, McCarthy, Menahan, Mercer, Nisbet, Pavlovich, Peterson, Phillips, J. Rice, Southworth, Spring, Swysgood, Thoft, Thomas, Tunby, Zook.
Total 35

Voted Absentee: Cody, Connelly, J. Johnson, Ayes; Pavlovich, No.

Excused: Gould, Russell.
Total 2

Absent or not voting: Fagg.
Total 1

HB 2 FCC adopted as follows:

Ayes: Bardanouve, Barnhart, Beck, Becker, Bradley, Brooke, D. Brown, J. Brown, Cocchiarella, Cohen, Connelly, Cromley, Daily, Darko, Davis, Dolezal, Driscoll, Forrester, Galvin, Gervais, S. J. Hansen, Harrington, J. Johnson, Kadas, Kilpatrick, Kimberley, Larson, Madison, McCaffree, McCarthy, McCulloch, Measure, Menahan, Nisbet, Pavlovich, Peck, Quilici, Raney, Ream, S. Rice, Schye, Scott, Southworth, Squires, Stang, Stickney, Strizich, Toole, Wanzenried, Whalen, Wyatt, Mr. Speaker.
Total 52

Noes: Bachini, Barnett, Benedict, Bergsagel, Boharski, Clark, Cobb, Cody, J. DeBruycker, R. DeBruycker, Dowell, Elliott, Ellis, Ellison, Fagg, Feland, Foster, Gilbert, Gould, Grady, Grinde, H. S. Hanson, M. Hanson, Hayne, Hoffman, R. Johnson, Kasten, Keller, Knox, Lee, Mercer, Messmore, L. Nelson, T. Nelson, O'Keefe, Peterson, Phillips, J. Rice, Simpkins, Spring, Steppler, Swysgood, Thoft, Thomas, Tunby, Wallin, Zook.
Total 47

Voted Absentee: Connelly, J. Johnson, Pavlovich, Ayes; Cody, Gould, Noes.

Excused: Russell.
Total 1

Absent or not voting: None.
Total 0

MOTIONS

Representative Driscoll moved that the tables, showing first level expenditure allocations prepared by the Legislative Fiscal Analyst and accompanying House Bill No. 2, as amended by the conference committee, be adopted as legislative intent for the appropriations contained in House Bill No. 2. Motion carried.

Representative Driscoll moved the Speaker be authorized to appoint a committee of four to notify His Excellency, the Governor, the House of Representatives of the Second Special Session of the Fifty-Second Legislature has completed its business and is ready to adjorn sine die. Motion carried.

The Speaker appointed Representatives Jan Brown, Chair, Orval Ellison, Brent Cromley, and Fred Thomas, and dismissed them from the chamber.

Representative Driscoll moved the Speaker be authorized to appoint a committee of four to notify the Senate the House of Representatives of the Second Special Session of the Fifty-Second Legislature has completed its business and is ready to adjorn sine die. Motion carried.

The Speaker appointed Representatives Dorothy Bradley, Chair, Tom Lee, Mark O'Keefe and Dave Hoffman and dismissed them from the chamber.

A committee from the Senate was escorted to the well of the House and informed the Speaker that the Senate had completed their business and were ready to adjourn sine die. The Speaker thanked the committee and the entire Senate and dismissed the committee from the chamber.

Representative Driscoll moved joint rule 40-160 of the Fifty-Second Legislature be interpreted to allow five working days after the 12th legislative day for enrolling and signing of all bills and resolutions passed by the 12th legislative day. Motion carried.

Representative Driscoll moved the House adjourn sine die. Motion carried.

House adjourned sine die at 5:37 p.m.

Hal Harper, Speaker

Joyce Andrus, Chief Clerk

ADDENDUM
HOUSE JOURNAL
JULY 1992 SPECIAL SESSION

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 7/20/92
Correctly enrolled: HB 7, HB 8, HB 22, HB 24, HB 41, HB 44, HB 48, HB 52, HB 54, HB 59, HB 62, HJR 2.
Delivered to the Governor for his approval at 9:30 a.m., 7/20/92: HB 51, HB 58.
Delivered to the Secretary of State at 9:35 a.m., 7/20/92: HJR 1.
Signed by the Speaker at 11:00 a.m., 7/20/92: HB 7, HB 22, HB 24, HB 41, HB 48, HB 52, HB 54, HB 59.
Delivered to the Governor for his approval at 11:52 a.m., 7/20/92: HB 7, HB 22, HB 24, HB 41, HB 48, HB 52, HB 54, HB 59.
Signed by the Speaker at 2:30 p.m., 7/20/92: HB 8, HB 44, HB 62, HJR 2.
Delivered to the Governor for his approval at 3:00 p.m., 7/20/92: HB 8, HB 44, HB 62.
Delivered to the Secretary of State at 3:05 p.m., 7/20/92: HJR 2.

MESSAGES FROM THE GOVERNOR

7/21/92

The Honorable Hal Harper
Speaker
House of Representatives
State Capitol
Helena, MT 59620

Dear Speaker Harper:

Please be informed that I have signed House Bills 6 and 12 on July 21, 1992.

Sincerely,

Stan Stephens
Governor

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 7/22/92
Correctly enrolled: HB 2.
Signed by the Speaker at 9:30 a.m., 7/22/92: HB 2.
Delivered to the Governor for his approval at 9:35 a.m., 7/22/92: HB 2.

MESSAGES FROM THE GOVERNOR

7/24/92

The Honorable Hal Harper
Speaker
House of Representatives
State Capitol
Helena, MT 59620

Dear Speaker Harper:

Please be informed that I have signed House Bills 8 and 62 on July 24, 1992.

Sincerely,

Stan Stephens
Governor

8/06/92

The Honorable Hal Harper
Speaker
House of Representatives
State Capitol
Helena, MT 59620

Dear Speaker Harper:

Please be informed that I have signed House Bills 7, 22, 24, 41, 51, 52, and 54 on August 6, 1992.

Sincerely,

Stan Stephens
Governor

8/06/92

The Honorable Hal Harper
Speaker
House of Representatives
State Capitol
Helena, MT 59620

Dear Speaker Harper:

On this date, I have delivered House Bill 2 and House Bill 44 to the Secretary of State without my signature.

Sincerely,

Stan Stephens
Governor

8/06/92

The Honorable Hal Harper
Speaker
House of Representatives
State Capitol
Helena, MT 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill 48, "AN ACT RELATING TO THE ADMINISTRATION OF LIQUOR STORES AND LIQUOR STORE INVENTORY; EXTENDING THE TIME PERIOD FOR LIQUOR STORE AGENCY AGREEMENTS AND LEASES AND PROVIDING FOR THE RENEWAL OF LIQUOR STORE AGENCY AGREEMENTS AND LEASES; REQUIRING THE DEPARTMENT OF REVENUE TO ADOPT RULES IMPLEMENTING LIQUOR STORE AGENCY AGREEMENT AND LEASE EXTENSIONS AND RENEWALS; ESTABLISHING A MORATORIUM ON RULEMAKING ACTIVITIES OF THE DEPARTMENT OF REVENUE IN REFERENCE TO LIQUOR STORE INVENTORY TYPES AND SIZES; AMENDING SECTION 16-2-101, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

I am vetoing this bill because it is special interest legislation and will be detrimental to the people of Montana.

House Bill 48 changes Montana law in three ways. First, it prevents the Department of Revenue, Liquor Division, from obtaining building leases and agency contracts on the most advantageous terms for the state. It does so by providing an absolute preference for existing lessees and agents. The apparent purpose of this legislation is to protect existing lessees and agents from ordinary business competition. It creates a monopoly for those fortunate enough to have a lease or agency. The result is that Montana and its citizens will pay higher costs and receive less revenue.

Second, the bill allows leases and agencies to be renewed on terms as they existed prior to January 1, 1991. In other words, the leases and agencies cannot be updated to reflect new issues and concerns. The state can no longer carry insurance for liability from alcohol abuse related lawsuits. The state may not be protected from a claim that its agent caused loss of life or property as a result of liquor sales. Unless the agency contracts are changed to require the agent to carry insurance, the state may have to pay large sums of money in damages.

Third, the bill prevents the Department of Revenue from adopting new rules on its liquor inventory. The purpose of this amendment is to protect businesses from competition. The Department is prevented from requesting bids on certain "economy" liquor products. Therefore, Montana citizens will pay a higher price for liquor products. Businesses currently dealing with the state have a monopoly and the people of Montana will suffer.

The result of all three of the statutory changes are detrimental to Montana. The only purpose of the legislation is to protect existing businesses from competition. The only result will be more profit for a few privileged businesses at the expense of higher costs and less revenue for the vast majority of Montana citizens. Special interest legislation only helps a few at the expense of many.

It is not in the best interests of the people of Montana to have this bill become law. The bill is both bad government and bad business.

Sincerely,

STAN STEPHENS
Governor

8/12/92

The Honorable Hal Harper
Speaker
House of Representatives
State Capitol
Helena, MT 59620

Dear Speaker Harper and President Mazurek:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill 59, "AN ACT PROHIBITING THE IMPORTATION OF HAZARDOUS WASTE OR HAZARDOUS WASTE-DERIVED FUEL INTO MONTANA FOR COMMERCIAL DISPOSAL OR INCINERATION OR FOR USE AS A SUPPLEMENTAL FUEL UNTIL OCTOBER 1, 1993; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Three years ago, Montana started down the path of delaying important decisions concerning the management and disposal of wastes generated from both in Montana and outside of Montana. The "management by moratorium" mentality was offensive then, and House Bill 59 now becomes the third bill in three years to continue this insidious pattern. Regardless of the passions of the proponents of this bill, or the credibility (or lack thereof) of those engaging in the waste management business, this bill must be vetoed because it clearly violates the U.S. Constitution.

The commerce clause of the U.S. Constitution (Article I, Section 8[3]) was established to prevent barriers from being erected by the various states which would impede interstate commerce or foreign trade. Only Congress "shall have power...to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes." The foresight by the drafters of this clause is monumental. With the entire world now embracing the concepts of free trade, and with the North American Free Trade Agreement nearing completion, the value of the commerce clause is more important now than ever before.

Montana exports much of its waste now due to the lack of licensed facilities in the state. Our hospitals and doctors' offices dispose of their medical wastes in Washington and Colorado. Our paint shops, dry cleaners, and industrial processors dispose of their hazardous wastes in Utah, Idaho, Oregon and Kansas. Our x-ray machine operators and university system laboratories dispose of their low level radioactive wastes in Washington. Therefore, Montana must be cautious when prohibiting the importation of wastes, because we not only risk utilizing other states' safe disposal facilities, but we increase the necessity of building <u>more</u> waste facilities within our borders. Once barriers begin to be erected, a dangerous pattern is established which could eventually put us at greater danger than accepting the wastes we are seeking to avoid.

In June of 1992, the U.S. Supreme Court made it explicitly clear in two cases that waste is part of commerce, and therefore cannot be impeded by the states. In Alabama, the governor could not successfully argue that his state's differential treatment of out of state wastes, even if based on public health and safety concerns, was important enough to overcome a violation of the commerce clause. A Michigan statute that discriminated against interstate wastes was also struck down based on the commerce clause.

Congress is now addressing this importation question in deliberations in Washington, D.C. If they see fit to grant states the right to exclude wastes from other states, then this issue can be revisited later based on that authority.

Last year, fifteen governors in the Western Governors' Association recognized the importance of cooperation in waste management when signing the "Western States Regional Waste Management Protocol." The protocol in part stated that "few states have the capacity to treat indisposable types of waste generated within their borders. Western states are interdependent on one another for the management of solid, biomedical, hazardous and low level radioactive wastes." Needless to say, House Bill 59 was recently met with consternation at a regional waste meeting in Oregon by those western states now accepting Montana's wastes.

I have been counseled that my decision today is not politically proper. However, our country's history is replete with dark moments when it was politically expedient to violate the constitution. But these are the very times when we must turn to the constitution to restore order.

This waste issue was not part of the original Call of the Special Session. But in a wave of emotion, House Bill 59 was hastily conceived, drafted and passed without full consideration and careful analysis of the impacts. We simply cannot allow such hasty action to proceed at the expense of the constitution.

I expect today's decision to be maligned by those claiming some moral high ground. Even though I join with all Montanans in not wanting our great state to become "the nation's dumping ground", we must recognize the interdependent system wherein we export much waste. I understand the genuine concern of those living near the proposed facilities, but these concerns must be addressed with scientific fact and knowledge based on technical permitting. Based on these concerns and the constitutional question, I must act responsibly and veto this legislation.

Sincerely,

STAN STEPHENS
Governor

8/13/92

The Honorable Hal Harper
Speaker
House of Representatives
State Capitol

Helena, MT 59620

Dear Speaker Harper and President Mazurek:

I have today delivered House Bill 58 to the Secretary of State without my signature. House Bill 58, which prohibits the Department of Health and Environmental Sciences from issuing certain waste management permits, is both bad law and bad policy.

This legislation continues the legislature's "waste management by moratorium" mentality, which is no management at all. We all agree waste disposal is a problem and we all agree waste management is necessary. However, now that the regulatory system is in place and decisions are near, the legislature has decided to freeze all regulatory authority while waste generation continues on.

Years ago, the public policy of this country was to increase regulations over waste disposal facilities in order to protect the public's health and safety. These strict regulations, by intentional design, result in less facilities due to economic and technical requirements. However, with fewer facilities, certain communities now feel they are being singled out as a "host" and oppose "importing" wastes into their community.

While meaningful public participation and environmental planning are crucial, the "not in my back yard syndrome" has effectively prevented scientifically sound facilities from being built. The ultimate irony is that if no new facilities are built, the original purpose of the regulations (improving public health and safety through advanced technology) is impossible to meet.

This legislation is irresponsible in a number of ways. As late as 1989 the Department of Health and Environmental Sciences proposed legislation to adequately address the proper management and disposal of waste. This original legislation was also enhanced during the 1991 legislative session. Now, fifteen months later, the legislature has disregarded those newly enacted laws and programs and prohibited those agencies administering the laws from issuing permits.

Ironically, the Department of Health and Environmental Sciences informs me that this moratorium may actually encourage the construction of smaller unpermitted incinerators that provide less technological advancement and protection to the public's health.

Montanans produce waste. While much of our waste is managed within our borders, our hazardous wastes, low level radioactive wastes and certain medical wastes are all exported to other states. Who is responsible for this waste? Not just the disposal facilities or the generators. Instead, these wastes are a result of everyone's standard of living and daily activities. Therefore, we must all be responsible for the safe management and disposal of our wastes.

Waste minimization should be our top priority. But certain wastes will continue to be generated as a necessary by-product of our society. And

these wastes must either be stored or destroyed. By this moratorium, the legislature has effectively eliminated the destruction option in favor of storage - even though storage at times presents greater risks to the public's health.

House Bill 58 simply impedes responsible management and delays the need for us to address our responsibilities. It does not prevent waste from being generated. It does not assist in the safe management and disposal of wastes. I encourage the legislature during the regular 1993 session to legitimately address the waste management issue and repeal House Bill 58 so that the public health and safety is genuinely protected.

As a housewife near White Sulphur Springs so poignantly stated in a recent letter to me, "medical waste does not go away just because we put our heads in the sand." Nor do our waste disposal problems (and public health threats) simply go away by prohibiting the scientific and technical permitting of disposal facilities. The legislature can and should do better than House Bill 58.

Sincerely,

STAN STEPHENS
Governor

JULY 1992
SPECIAL SESSION
TITLE INDEX

SENATE BILLS

AS INTRODUCED

Boldface figures refer to roll calls

1 INTRODUCED BY JACOBSON, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING THE FIRST DISTRIBUTION DATE FOR STATE EQUALIZATION AID PAYMENTS TO SCHOOL DISTRICTS FROM JULY 15 TO JULY 31 OF THE SCHOOL FISCAL YEAR; AMENDING SECTION 20-9-344, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

SENATE PAGE NO. 7, 9, **10**, 15, 19, 29.

HOUSE PAGE NO. 125, **132**, **133**.

2 INTRODUCED BY JACOBSON, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE STATE EQUALIZATION AID PAYMENT SCHEDULE TO SCHOOL DISTRICTS; AMENDING SECTION 20-9-344, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

SENATE PAGE NO. 7.

3 INTRODUCED BY FARRELL, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT CLOSING ALL NONESSENTIAL STATE GOVERNMENT OFFICES FOR 1 DAY A WEEK; LIMITING THE HOURS STATE EMPLOYEES MAY WORK IN A WEEK; AMENDING SECTION 2-16-117, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

SENATE PAGE NO. 8, **51**.

4 INTRODUCED BY DOHERTY: A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE COMPUTATION OF INDIVIDUAL NET INCOME FOR TAX PURPOSES BY LIMITING THE DEDUCTIBILITY OF RESIDENCE INTEREST TO INTEREST PAID ONLY ON A TAXPAYER'S PRIMARY RESIDENCE; AMENDING SECTION 15-30-123, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

SENATE PAGE NO. 9, 81, **85**.

5 INTRODUCED BY B. BROWN (BY REQUEST OF THE DEPARTMENT OF REVENUE): A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE AUTHORITY OF THE DEPARTMENT OF REVENUE TO ESTABLISH AND MAINTAIN STATE EMPLOYEE-OPERATED LIQUOR STORES AFTER DECEMBER 31, 1992; PHASING OUT EXISTING STATE EMPLOYEE-OPERATED LIQUOR STORES PRIOR TO JUNE 30, 1993; EXEMPTING THE PHASEOUT OF STATE EMPLOYEE-OPERATED LIQUOR STORES FROM THE PRIVATIZATION PLAN REVIEW REQUIREMENTS OF TITLE 2, CHAPTER 8, PART 3, MCA; PROVIDING AUTHORITY FOR STATE AGENCY LIQUOR STORES TO APPLY FOR AND RECEIVE RETAIL

OFF-PREMISES CONSUMPTION BEER AND TABLE WINE LICENSES; PROVIDING REDUCTION-IN-FORCE RIGHTS FOR DISPLACED LIQUOR STORE EMPLOYEES; PROVIDING A METHOD OF STATE FINANCING FOR AN EMPLOYEE-OWNED ENTERPRISE; AMENDING SECTIONS 2-17-101, 16-1-103, 16-1-105, 16-1-106, 16-1-202, 16-1-301, 16-1-302, 16-1-303, 16-1-304, 16-1-402, 16-2-101, 16-2-103, 16-2-104, 16-2-107, 16-2-108, 16-2-201, 16-2-203, 16-2-301, 16-2-302, 16-2-303, 16-3-103, 16-3-106, 16-3-307, 16-3-401, 16-3-402, 16-4-105, 16-4-401, 16-6-107, 16-6-303, 17-6-305, 17-6-308, 17-6-310, AND 17-6-318, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

SENATE PAGE NO. 11, **19**.

6 INTRODUCED BY TOWE, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A FINANCIAL INCENTIVE TO THE DIRECTOR OF A DEPARTMENT TO REDUCE THE ADMINISTRATIVE BUREAUCRACY WITHIN A DEPARTMENT; AMENDING SECTION 2-15-112, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

SENATE PAGE NO. 13, 47, **53**, **56**, 59, 68.

HOUSE PAGE NO. 270, 271, 286, **292**.

7 INTRODUCED BY TOWE: A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING VACANCIES IN STATE AGENCIES TO REMAIN OPEN UNTIL 400 POSITIONS ARE REDUCED UNLESS A POSITION IS DECLARED ESSENTIAL; REQUIRING THE GOVERNOR TO DEVELOP A PLAN TO REDUCE THE OFFICE ADMINISTRATIVE PERSONNEL OF ALL STATE AGENCIES BY 15 PERCENT; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

SENATE PAGE NO. 13, 49, 53, **55**, **57**, 59, 68.

HOUSE PAGE NO. 270, 271, 286, 292, **293**.

8 INTRODUCED BY KEATING (BY REQUEST OF THE DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES): A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE CLOSURE OF THE ACUTE CARE HOSPITAL AND INTERMEDIATE NURSING CARE PROGRAM AT THE GALEN CAMPUS OF THE MONTANA STATE HOSPITAL; AMENDING SECTION 53-21-601, MCA; REPEALING SECTIONS 50-17-104 AND 53-21-602, MCA; AND PROVIDING AN EFFECTIVE DATE."

SENATE PAGE NO. 16, **45**, 46.

9 INTRODUCED BY KEATING (BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING): A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING ADJUSTMENT PAYMENTS TO RETIREES OF STATE, LOCAL, AND TEACHER RETIREMENT SYSTEMS WHO ARE MONTANA RESIDENTS; AMENDING SECTION 17-7-502, MCA; REPEALING SECTIONS 19-15-101 AND 19-15-102, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

SENATE PAGE NO. 16, **28**.

10 INTRODUCED BY KEATING (BY REQUEST OF THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES): A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE LAWS RELATING TO GENERAL RELIEF; REDUCING BENEFITS FOR THE FIRST 2 MONTHS OF RESIDENCY; ELIMINATING STATE PAYMENTS FOR GENERAL RELIEF MEDICAL ASSISTANCE; REDUCING FROM 12 MILLS TO 8.7 MILLS THE NUMBER OF MILLS LEVIED IN COUNTIES OPTING FOR STATE ASSUMPTION OF COUNTY ASSISTANCE PROGRAMS; AUTHORIZING LOCAL BOARDS OF HEALTH TO PROVIDE MEDICAL ASSISTANCE; REVISING THE PERIODS OF INELIGIBILITY; REDEFINING THE CLASSES OF PERSONS ELIGIBLE FOR GENERAL RELIEF; REVISING THE CONDITIONS OF ELIGIBILITY; REVISING THE DURATION OF ASSISTANCE PERMITTED; CREATING A SELF-SUFFICIENCY PROGRAM FOR CERTAIN UNEMPLOYED PERSONS; EXPANDING THE TIME PERIOD FOR JOB SEARCH, TRAINING, WORKFARE, OR SELF-SUFFICIENCY PROGRAMS PRIOR TO RECEIPT OF BENEFITS; AMENDING SECTIONS 50-2-116, 53-2-323, 53-2-813, 53-3-109, 53-3-121, 53-3-122, 53-3-201, 53-3-205, 53-3-209, 53-3-211, 53-3-212, 53-3-215, 53-3-303, 53-3-304, 53-3-305, 53-3-311, 53-3-314, 53-3-321, 53-3-322, 53-3-323, 53-3-324, 53-3-325, 53-3-326, 53-3-327, AND 53-3-328, MCA; REPEALING SECTIONS 53-3-206, 53-3-307, 53-3-310, 53-3-313, AND 53-3-318, MCA; AND PROVIDING AN EFFECTIVE DATE."

SENATE PAGE NO. 16, 63, 69, 70, **71**, 80, 85, 107, 111.

HOUSE PAGE NO. 302, 303, **304**.

11 INTRODUCED BY DOHERTY, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE RESOURCE INDEMNITY TRUST TAX BY CHANGING THE RATE OF TAX ON COAL FROM 0.4 PERCENT TO 1/2 OF 1 PERCENT; DELETING THE PROVISION THAT PROVIDES THAT THE GROSS VALUE OF COAL IS DETERMINED BY THE CONTRACT SALES PRICE OF THE COAL; AMENDING SECTIONS 15-38-103 AND 15-38-104, MCA; REPEALING SECTION 15-38-125, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

SENATE PAGE NO. 16.

12 INTRODUCED BY KEATING, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT DENYING TO CERTAIN MOTHERS INCREASED BENEFITS UNDER THE AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; REQUIRING THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO SEEK A WAIVER FROM FEDERAL REQUIREMENTS; AMENDING SECTION 53-4-231, MCA; AND PROVIDING EFFECTIVE DATES."

SENATE PAGE NO. 16, **45**, 46.

13 INTRODUCED BY JERGESON, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT TEMPORARILY DIVERTING COAL SEVERANCE TAX FUNDS FROM THE MONTANA GROWTH

THROUGH AGRICULTURE ACT TO THE GENERAL FUND; PERMANENTLY REDUCING THE AMOUNT ALLOCATED TO THE MONTANA GROWTH THROUGH AGRICULTURE ACT BY 1 PERCENT; ALLOCATING 1 PERCENT OF THE COAL SEVERANCE TAX FUNDS TO THE SUPPORT OF THE AGRICULTURAL EXPERIMENT STATION, THE COOPERATIVE EXTENSION SERVICE, THE FOREST AND CONSERVATION EXPERIMENT STATION, AND THE BUREAU OF MINES AND GEOLOGY; AMENDING SECTION 15-35-108, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

SENATE PAGE NO. 16, 25, 28, 46.

14 INTRODUCED BY KEATING: A BILL FOR AN ACT ENTITLED: "AN ACT IMPOSING A 4 PERCENT SALES TAX AND USE TAX ON THE RETAIL SALE OF GOODS; PROVIDING FOR CERTAIN DEDUCTIONS AND EXEMPTIONS; DEPOSITING THE PROCEEDS OF THE SALES TAX AND USE TAX, OTHER THAN THE TAX ON NEW VEHICLES, TO THE CREDIT OF THE STATE SCHOOL EQUALIZATION AID ACCOUNT; ELIMINATING THE TAXATION OF CERTAIN PERSONAL PROPERTY; REVISING LOCAL GOVERNMENT DEBT LIMITS TO REFLECT THE LOSS OF TAXABLE VALUE; LIMITING THE RATE OF TAXATION OF REAL PROPERTY; ELIMINATING THE TAX FREEZE IMPOSED BY INITIATIVE MEASURE NO. 105; ELIMINATING THE STATEWIDE PROPERTY TAX LEVY FOR SCHOOL EQUALIZATION AID; ADJUSTING THE COUNTY MILL LEVIES FOR SCHOOL EQUALIZATION AID TO REFLECT SALES TAX AND USE TAX REVENUE; AMENDING SECTIONS 7-1-2111, 7-3-1321, 7-6-2203, 7-6-2211, 7-6-4111, 7-6-4121, 7-6-4254, 7-6-4409, 7-7-107, 7-7-108, 7-7-2101, 7-7-2203, 7-7-4201, 7-7-4202, 7-12-1151, 7-12-2196, 7-12-4124, 7-12-4345, 7-12-4436, 7-12-4511, 7-12-4621, 7-13-4103, 7-14-236, 7-14-2524, 7-14-2525, 7-14-4402, 7-14-4713, 7-14-4734, 7-15-4292, 7-16-2327, 7-16-4104, 7-22-2406, 7-31-106, 7-31-107, 7-34-2131, 10-1-606, 15-1-101, 15-6-134, 15-6-135, 15-6-137, 15-6-138, 15-6-141, 15-6-145, 15-6-201, 15-6-203, 15-6-215, 15-7-102, 15-8-104, 15-8-106, 15-8-111, 15-8-201, 15-8-301, 15-8-405, 15-8-407, 15-8-701, 15-8-706, 15-10-106, 15-10-302, 15-16-117, 15-16-202, 15-16-401, 15-16-601, 15-16-611, 15-17-121, 15-17-911, 15-18-213, 15-23-101, 15-23-201, 15-23-202, 15-23-501, 15-23-503, 15-23-504, 15-23-507, 15-23-508, 15-23-522, 15-23-608, 15-23-611, 15-23-704, 15-23-806, 15-24-101, 15-24-205, 15-24-304, 15-24-601, 15-24-701, 15-24-801, 15-24-922, 15-24-1101, 15-24-1104, 15-24-1203, 15-24-1402, 15-24-1601, 15-24-2302, 15-24-2401, 15-24-2403, 15-50-207, 17-5-1524, 17-7-502, 20-6-203, 20-6-205, 20-6-315, 20-6-317, 20-7-714, 20-9-141, 20-9-142, 20-9-331, 20-9-333, 20-9-343, 20-9-361, 20-9-406, 20-9-407, 20-9-501, 20-10-144, 20-15-313, 20-15-314, 20-15-403, 20-25-423, 23-2-508, 23-2-510, 23-2-512, 23-2-515, 23-2-516, 23-2-518, 23-2-519, 23-2-520, 23-2-612, 23-2-615.1, 23-2-616, 23-2-617, 23-2-618, 23-2-620, 23-2-642, 23-2-803, 23-2-804, 23-2-807, 23-2-810, 23-2-817, 33-2-705, 33-2-709, 33-4-409, 33-10-107, 39-71-2617, 61-3-303, 61-3-431, 61-3-502, 61-3-503, 61-3-509, 61-3-521, 61-3-535, 61-3-701, 61-4-112, 61-4-310, 61-4-501, 61-10-130, 61-10-214, 67-3-203, 67-3-204, 67-3-205, 67-3-206, 77-6-114, 81-6-104, 81-6-204, 81-6-209, 81-7-303,

AND 90-5-110, MCA; REPEALING SECTIONS 15-1-111, 15-6-136, 15-6-202, 15-6-204, 15-6-207, 15-8-202, 15-8-204, 15-8-205, 15-8-401, 15-8-404, 15-8-408, 15-10-401, 15-10-402, 15-10-406, 15-10-411, 15-10-412, 15-16-111, 15-16-112, 15-16-113, 15-16-114, 15-16-115, 15-16-402, 15-16-404, 15-16-503, 15-16-613, 15-16-701, 15-16-702, 15-16-703, 15-24-210, 15-24-301, 15-24-302, 15-24-303, 15-24-305, 15-24-901, 15-24-902, 15-24-903, 15-24-904, 15-24-905, 15-24-906, 15-24-920, 15-24-926, 15-24-931, 20-9-360, 61-3-707, AND 87-4-420, MCA; AND PROVIDING EFFECTIVE DATES AND A DELAYED APPLICABILITY DATE."

SENATE PAGE NO. 30, **67**.

15 INTRODUCED BY GROSFIELD, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING CERTAIN SPECIAL REVENUE ACCOUNTS; PROVIDING FOR THE REVIEW AND FUTURE ELIMINATION OF OTHER SPECIAL REVENUE ACCOUNTS; PROVIDING THAT APPROPRIATIONS FROM FORMER SPECIAL REVENUE ACCOUNTS ARE FROM THE GENERAL FUND; AMENDING SECTIONS 1-11-301, 2-4-313, 2-15-212, 2-17-105, 2-18-403, 3-7-204, 3-7-302, 5-11-209, 5-13-403, 7-21-2105, 15-1-501, 15-25-122, 15-35-108, 16-1-404, 16-1-411, 17-7-502, 18-2-103, 20-4-109, 20-7-201, 20-7-457, 20-9-331, 20-9-333, 20-9-343, 20-10-203, 22-2-301, 22-2-304, 22-2-321, 23-1-108, 31-1-221, 31-1-602, 32-1-213, 32-1-215, 32-2-102, 32-2-110, 32-3-201, 32-5-201, 32-7-110, 40-8-110, 44-3-302, 44-12-206, 44-13-103, 46-18-248, 46-18-250, 49-2-510, 50-1-202, 50-2-108, 50-15-111, 50-50-205, 50-50-305, 50-51-204, 50-51-303, 50-52-202, 50-52-302, 50-53-203, 50-53-218, 50-60-508, 50-71-325, 53-2-813, 53-9-104, 53-9-109, 53-24-108, 60-11-123, 61-4-517, 61-5-121, 75-2-211, 75-2-508, 75-2-212, 75-3-502, 75-6-104, 75-6-108, 75-6-109, 75-6-114, 75-10-447, 75-10-954, 75-11-213, 75-11-227, 75-20-112, 75-20-215, 75-20-408, 76-4-1108, 76-4-1212, 76-4-1213, 76-13-209, 80-7-704, 80-7-810, 80-7-814, 80-7-1105, 80-8-109, 80-8-116, 80-10-207, 80-10-208, 80-10-509, 80-15-302, 81-3-231, 81-7-105, 81-7-122, 81-8-216, 81-8-256, 81-8-279, 81-8-304, 81-9-113, 81-23-204, 81-23-403, 82-4-311, 85-2-122, 85-2-123, 85-2-124, 85-2-213, 85-2-241, 85-2-302, 85-2-306, 85-2-318, 85-3-213, 90-3-305, AND 90-3-525, MCA; REPEALING SECTIONS 15-25-121, 15-25-123, 20-3-108, 50-50-216, 50-51-110, 50-52-210, 60-11-122, 75-6-115, AND 76-15-530, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

SENATE PAGE NO. 69.

SENATE RESOLUTION

1 INTRODUCED BY YELLOWTAIL, ET AL. (BY REQUEST OF THE SENATE JUDICIARY COMMITTEE): A RESOLUTION OF THE SENATE OF THE STATE OF MONTANA CONCURRING IN, CONFIRMING, AND CONSENTING TO THE NOMINATION AND APPOINTMENT OF HONORABLE TED O. LYMPUS AS DISTRICT JUDGE, ELEVENTH JUDICIAL DISTRICT, KALISPELL, MONTANA, MADE BY THE GOVERNOR AND SUBMITTED TO THE SENATE PURSUANT TO SECTION 5-5-302, MCA.

SENATE PAGE NO. 15, **16**, 19, **20**, **23**, 25, 45.

HOUSE BILLS

1 INTRODUCED BY BARDANOUVE: A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY FOR THE OPERATION OF THE SECOND SPECIAL SESSION OF THE 52ND LEGISLATURE, CONVENING JULY 6, 1992, AND FOR OTHER RELATED PURPOSES; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 118, 121, **126**, 131, 227.

SENATE PAGE NO. 13, 16, 19, **20**.

2 INTRODUCED BY THOFT (BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING): A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING APPROPRIATIONS FOR FISCAL YEAR 1993; AMENDING THE GENERAL APPROPRIATIONS ACT OF 1991 AND OTHER ACTS APPROPRIATING MONEY TO VARIOUS STATE AGENCIES FOR THE BIENNIUM ENDING JUNE 30, 1993; PROVIDING CONDITIONS AND LIMITATIONS RELATING TO THE APPROPRIATIONS; AMENDING SECTIONS 1 AND 11, CHAPTER 13, SPECIAL LAWS OF JANUARY 1992, AND SECTIONS 12, 13, AND 16, CHAPTER 774, LAWS OF 1991; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 118, 137, 205, **206**, 227, 250, **257**, **298**, 303, 319, 325, **326**, **327**, **328**, 329, 330.

SENATE PAGE NO. 23, 25, 29, **30**, 43 68, 72, 100, 101, **107**. 108

3 INTRODUCED BY HARPER: A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE FUEL CONSERVATION SPEED LIMIT OFFENSE FINE FROM $5 TO $20; AMENDING SECTION 61-8-718, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

HOUSE PAGE NO. 118, 202, 227, **241**, **244**.

4 INTRODUCED BY ELLIOTT: A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT THE DEDUCTION OF FEDERAL TAXES USED IN DETERMINING MONTANA NET TAXABLE INCOME FOR INCOME TAX PURPOSES MAY NOT EXCEED $10,000 FOR TAXPAYERS FILING SINGLY OR SEPARATELY AND $20,000 FOR MARRIED TAXPAYERS FILING JOINTLY; AMENDING SECTION 15-30-121, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

HOUSE PAGE NO. 118.

5 INTRODUCED BY RANEY: A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A DEPARTMENT, AGENCY, OR DIVISION OF STATE GOVERNMENT TO ELIMINATE THE POSITIONS OF DEPUTY DIRECTOR AND ASSISTANT ADMINISTRATOR; AMENDING SECTIONS 75-11-218 AND 87-1-404, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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6 INTRODUCED BY THOFT (BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING): A BILL FOR AN ACT ENTITLED: "AN ACT TRANSFERRING $1,198,000 FROM THE LONG-RANGE BUILDING PROGRAM FUND IN THE CAPITAL PROJECTS FUND TYPE TO THE GENERAL FUND; AMENDING SECTION 16-11-119, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

HOUSE PAGE NO. 118, 202, **228**, **232**, 270, 299, 303, 329.

SENATE PAGE NO. 29, 30, 50, 53, **57**.

7 INTRODUCED BY THOFT (BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING): A BILL FOR AN ACT ENTITLED: "AN ACT IMPLEMENTING BUDGET REDUCTIONS BY REMOVING RESTRICTIONS ON THE EXPENDITURE OF A FIRST-LEVEL CATEGORY OF AN AGENCY OPERATING BUDGET AND BY AUTHORIZING A PROGRAM TRANSFER OF AN AMOUNT NOT TO EXCEED 10 PERCENT OF THE TOTAL AGENCY APPROPRIATION; AMENDING SECTIONS 17-7-138 AND 17-7-139, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

HOUSE PAGE NO. 118, 250, 269, **271**, **280**, 284, 307, 319, 329, 330.

SENATE PAGE NO. 61, 69, 75, **79**.

8 INTRODUCED BY BARDANOUVE: A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT THE GOVERNOR HAS THE AUTHORITY TO DIRECT AGENCIES TO REDUCE SPENDING IN THE EVENT OF A PROJECTED GENERAL FUND BUDGET DEFICIT; PROVIDING GUIDELINES FOR DIRECTING AGENCIES TO REDUCE GENERAL FUND SPENDING; PROVIDING PROCEDURES TO BE USED IN DETERMINING WHEN A PROJECTED GENERAL FUND BUDGET DEFICIT EXISTS AND IN ESTABLISHING REDUCTIONS IN GENERAL FUND SPENDING; CLARIFYING THAT REVERSIONS FROM ALL GENERAL FUND APPROPRIATIONS THAT RESULT FROM REDUCTIONS IN SPENDING MUST REVERT TO THE GENERAL FUND; DEFINING THE TERM "PROJECTED GENERAL FUND BUDGET DEFICIT"; AMENDING SECTIONS 17-7-140 AND 17-7-304, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

HOUSE PAGE NO. 118, 235, **242**, **243**, **246**, **325**, **327**, 329, 330.

SENATE PAGE NO. 46, 93, **96**, **99**, 101.

9 INTRODUCED BY BARDANOUVE: A BILL FOR AN ACT ENTITLED: "AN ACT MAINTAINING LEGISLATORS SALARIES AT THE

CURRENT LEVEL FOR THE 53RD LEGISLATURE; AMENDING SECTION 5-2-301, MCA; AND PROVIDING AN EFFECTIVE DATE."

HOUSE PAGE NO. 118.

10 INTRODUCED BY BARDANOUVE: A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT COMPUTER SOFTWARE IS TAXABLE PERSONAL PROPERTY IF USED IN COMMERCIAL ESTABLISHMENTS; AMENDING SECTION 15-6-138, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE AND AN APPLICABILITY DATE."

HOUSE PAGE NO. 118.

11 INTRODUCED BY BARDANOUVE: A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE MONTANA LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION TAX OFFSET; AMENDING SECTION 33-10-230, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

HOUSE PAGE NO. 118.

12 INTRODUCED BY BARDANOUVE: A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE TIME IN WHICH THE COUNTY TREASURER MUST REMIT MONEY BELONGING TO THE STATE AND COLLECTED BY THE COUNTY TREASURER DURING THE MONTHS OF JUNE AND NOVEMBER; AMENDING SECTION 15-1-504, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 118, 203, 227, **229**, **232**, 270, 299, 303, 305, 329.

SENATE PAGE NO. 29, 30, 51, **59**, **60**.

13 INTRODUCED BY COBB (BY REQUEST OF THE DEPARTMENT OF REVENUE): A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING ONE-HALF OF PROPERTY TAXES AND SPECIAL ASSESSMENTS TO BE PAID ON OR BEFORE NOVEMBER 25 AND ONE-HALF TO BE PAID ON OR BEFORE MAY 26 OF EACH YEAR; AMENDING SECTIONS 7-12-4188, 15-16-102, AND 15-16-103, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

HOUSE PAGE NO. 118.

14 INTRODUCED BY COBB: A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE STATE EQUALIZATION AID PAYMENT SCHEDULE TO SCHOOL DISTRICTS; ALLOWING TRUSTEES OF A DISTRICT TO TRANSFER FUNDS FROM THE DISTRICT TRANSPORTATION FUND TO THE DISTRICT GENERAL FUND IF NECESSARY DUE TO A LEGISLATIVE REDUCTION IN THE FOUNDATION PROGRAM ENTITLEMENT OF A DISTRICT; AMENDING SECTION 20-9-344, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

HOUSE PAGE NO. 118, 127.

15 INTRODUCED BY COHEN: A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING THE METHOD OF DETERMINING THE REIMBURSEMENT FOR LOSS OF PERSONAL PROPERTY TAX REVENUE TO LOCAL GOVERNMENTS AND SCHOOLS BY USING THE CURRENT TAXABLE VALUE OF PERSONAL PROPERTY THAT WAS IN THE COUNTY IN 1989; AMENDING SECTION 15-1-111, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 118, 261, **269**.

16 INTRODUCED BY THOFT (BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING): A BILL FOR AN ACT ENTITLED: "AN ACT TRANSFERRING $1,198,000 FROM THE LONG-RANGE BUILDING PROGRAM FUND TO THE GENERAL FUND; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 121.

17 INTRODUCED BY GALVIN, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE LODGING FACILITY USE TAX TO 9 PERCENT; ALLOCATING THE ADDITIONAL REVENUE TO THE STATE GENERAL FUND AND TO LOCAL GOVERNMENTS; AMENDING SECTIONS 15-65-111 AND 15-65-121, MCA; AND PROVIDING AN EFFECTIVE DATE."

HOUSE PAGE NO. 123.

18 INTRODUCED BY RANEY, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT ABOLISHING THE 21ST JUDICIAL DISTRICT; AMENDING SECTION 3-5-101, MCA; REPEALING SECTION 2, CHAPTER 642, LAWS OF 1991; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 123.

19 INTRODUCED BY ELLISON (BY REQUEST OF THE DEPARTMENT OF REVENUE): A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE VIDEO GAMBLING MACHINE GROSS INCOME TAX FROM 15 PERCENT TO 35 PERCENT; PROVIDING FOR DISTRIBUTION OF THE INCREASED TAX REVENUE TO THE GENERAL FUND AND TO LOCAL GOVERNMENTS; AMENDING SECTIONS 17-7-502 AND 23-5-610, MCA; REPEALING SECTION 15-1-111, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

HOUSE PAGE NO. 123, 132, **133**.

20 INTRODUCED BY RANEY, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING STATE AGENCIES TO RECOVER THE FULL COST OF AN ENVIRONMENTAL REVIEW UNDER THE MONTANA ENVIRONMENTAL POLICY ACT; AMENDING SECTIONS 75-1-202 AND 75-1-203, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 123.

21 INTRODUCED BY COBB: A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT COUNTY AND STATE EQUALIZATION AID TO PUBLIC SCHOOL DISTRICTS FOR THE SCHOOL FISCAL YEAR ENDING JUNE 30, 1993, BE DISTRIBUTED AT 96 PERCENT OF THE FOUNDATION PROGRAM SCHEDULE AMOUNTS FOR THE SCHOOL FISCAL YEAR ENDING JUNE 30, 1992; AMENDING SECTIONS 20-9-331, 20-9-333, 20-9-335, 20-9-347, AND 20-9-348, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 123.

22 INTRODUCED BY HOFFMAN, ET AL. (BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING): A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING STATE TRANSPORTATION REIMBURSEMENT FOR SPECIAL EDUCATION CHILDREN FROM 100 PERCENT TO 50 PERCENT; AMENDING SECTIONS 20-7-442 AND 20-10-144, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 123, **299**, **301**, 303, 311, 319, 329, 330.

SENATE PAGE NO. 75, 85, **90**, **92**.

23 INTRODUCED BY DAILY, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT IMPOSING A 25 PERCENT PROPERTY TAX SURTAX ON NONRESIDENTS; DEPOSITING THE TAX PROCEEDS IN THE GENERAL FUND; AND PROVIDING AN APPLICABILITY DATE."

HOUSE PAGE NO. 123.

24 INTRODUCED BY COHEN (BY REQUEST OF THE GOVERNOR): A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE TAXATION OF RAILROAD CAR COMPANIES; TAXING RAILROAD CAR COMPANY PROPERTY AS CLASS TWELVE PROPERTY; APPROPRIATING MONEY FOR THE IMPLEMENTATION OF THE REVISED METHOD OF TAXATION; PROVIDING FOR TRANSITION TO THE REVISED METHOD OF TAXATION FOR TAX YEARS 1991 AND 1992; AMENDING SECTIONS 15-6-145, 15-23-101, 15-23-103, 15-23-104, 15-23-105, 15-23-201, AND 20-15-403, MCA; REPEALING SECTIONS 15-55-101, 15-55-102, 15-55-103, 15-55-104, 15-55-105, 15-55-106, 15-55-108, 15-55-109, 15-55-110, AND 15-55-111, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

HOUSE PAGE NO. 123, 284, **288**, **296**, 299, 307, 319, 329, 330.

SENATE PAGE NO. 68, 69, 74, 81, **86**, **87**, 102.

25 INTRODUCED BY CODY, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT TEMPORARILY PROHIBITING TRAVEL BY STATE OFFICERS AND EMPLOYEES THAT IS NOT ESSENTIAL TO THE OPERATION OF THE AGENCY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 123, 203, 227, **229**, **230**, **233**, 270.

SENATE PAGE NO. 29, 30, 50, **53**.

26 INTRODUCED BY CODY, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE TAX CREDIT FOR PHYSICIANS PRACTICING IN A RURAL AREA; REPEALING SECTIONS 15-30-188, 15-30-189, 15-30-190, AND 15-30-191, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

HOUSE PAGE NO. 123.

27 INTRODUCED BY DAILY: A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A MINIMUM INCOME TAX ON ADJUSTED GROSS INCOME OVER $15,000 FOR SINGLE TAXPAYERS OR MARRIED TAXPAYERS FILING SEPARATELY AND $30,000 FOR MARRIED TAXPAYERS FILING JOINTLY; PROVIDING THAT THE TAX ON ADJUSTED GROSS INCOME BE LEVIED ONLY IF IT RESULTS IN MORE TAX LIABILITY THAN THE GRADUATED TAX ON TAXABLE INCOME; PROVIDING A MINIMUM CORPORATION LICENSE AND INCOME TAX AMOUNT OF 3 PERCENT OF A CORPORATION'S GROSS INCOME; AMENDING SECTIONS 15-30-103, 15-30-105, 15-30-112, 15-30-122, 15-30-137, AND 15-31-121, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

HOUSE PAGE NO. 123, 284, 285, **289**, **301**, 303.

SENATE PAGE NO. 75.

28 INTRODUCED BY L. NELSON, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING SCHEDULED SALARY INCREASES FOR SUPREME COURT JUSTICES, DISTRICT COURT JUDGES, AND THE CHIEF WATER JUDGE; AMENDING SECTIONS 2-16-404 AND 3-5-211, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 123, 239, 250, 251, **252**.

29 INTRODUCED BY MERCER, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE VIII OF THE MONTANA CONSTITUTION TO LIMIT TO 4 PERCENT THE RATE OF A GENERAL STATEWIDE SALES TAX OR USE TAX AND TO LIMIT TO 1 PERCENT THE RATE OF LOCAL GOVERNMENT SALES TAXES OR USE TAXES; AND PROVIDING AN EFFECTIVE DATE."

HOUSE PAGE NO. 123.

30 INTRODUCED BY KADAS, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING CERTAIN STATE AND LOCAL GOVERNMENT EMPLOYEE LEAVES OF ABSENCE FOR MILITARY TRAINING TO BE WITHOUT PAY; AMENDING SECTION 10-1-604, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

HOUSE PAGE NO. 123, 125.

31 INTRODUCED BY RANEY, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE ATTORNEY GENERAL TO REVIEW PROPOSED EXECUTIVE BRANCH AGENCY LEGAL SERVICES CONTRACTS AND TO ENSURE THAT THEY ARE ENTERED ONLY WHEN NECESSARY AND ARE FINANCIALLY ADVANTAGEOUS TO THE STATE; AMENDING SECTION 2-15-501, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

HOUSE PAGE NO. 125.

32 INTRODUCED BY CODY, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT TEMPORARILY PROHIBITING THE PRINTING AND DISTRIBUTION OF UNSOLICITED COPIES OF STATE AGENCY NEWSLETTERS WHOLLY OR PARTIALLY PAID FOR WITH STATE FUNDS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 125, 203, 227, **300**, **302**, 303.

SENATE PAGE NO. 75, 94, **99**.

33 INTRODUCED BY SCOTT, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE COAL SEVERANCE TAX ON COAL MINED UNDERGROUND TO THE SAME TAX RATE IMPOSED ON SURFACE-MINED COAL; AMENDING SECTIONS 15-35-101, 15-35-102, 15-35-103, AND 82-4-203, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

HOUSE PAGE NO. 132.

SENATE PAGE NO. 100.

34 INTRODUCED BY S. RICE, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE TAX ON CIGARETTES BY 7 CENTS A PACK; INCREASING THE TAX ON TOBACCO PRODUCTS OTHER THAN CIGARETTES FROM 12½ PERCENT TO 17¼ PERCENT OF THE WHOLESALE PRICE; PROVIDING THAT THE INCREASED TAXES BE USED FOR HEALTH CARE SERVICES; AMENDING SECTIONS 16-11-111, 16-11-119, 16-11-202, 16-11-206, AND 17-5-408, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

HOUSE PAGE NO. 134.

35 INTRODUCED BY RANEY, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES TO COLLECT FEES FOR DEVELOPING AND ENFORCING AIR QUALITY PERMITS REQUIRED UNDER TITLE 75, CHAPTER 2, AND FOR WATER QUALITY PERMITS UNDER TITLE 75, CHAPTER 5; ESTABLISHING A WATER QUALITY SPECIAL REVENUE ACCOUNT; AMENDING SECTIONS 75-2-211 AND 75-5-402, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 134.

36 INTRODUCED BY COBB (BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING): A BILL FOR AN ACT ENTITLED: "AN ACT IMPOSING A REVENUE TAX ON HOSPITALS; AUTHORIZING THE DEPARTMENT OF REVENUE TO COLLECT THE TAX; PROVIDING FOR THE ASSESSMENT, COLLECTION, AND REFUND OF THE TAX; REQUIRING PROCEEDS FROM THE TAX TO BE DEPOSITED IN THE GENERAL FUND; DIRECTING THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO IMPLEMENT INCREASED FUNDING FOR MEDICAID REIMBURSEMENT OF INPATIENT HOSPITAL SERVICES; AUTHORIZING THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO MAKE GRANTS TO CERTAIN HOSPITALS; PROVIDING APPROPRIATIONS FOR ADMINISTRATION OF THE TAX, FOR GRANTS TO CERTAIN HOSPITALS, AND FOR INCREASES IN MEDICAID RATES; PROVIDING A CONTINGENT APPROPRIATION FOR INCREASES IN GENERAL RELIEF MEDICAL RATES; AND PROVIDING EFFECTIVE DATES, AN APPLICABILITY DATE, AND A TERMINATION DATE."

HOUSE PAGE NO. 134, 262, **270**.

37 INTRODUCED BY COBB: A BILL FOR AN ACT ENTITLED: "AN ACT TEMPORARILY REDUCING AMOUNTS AVAILABLE TO THE MONTANA BOARD OF SCIENCE AND TECHNOLOGY DEVELOPMENT FOR NEW SEED CAPITAL PROJECT LOANS AND RESEARCH AND DEVELOPMENT PROJECT LOANS; AMENDING SECTION 17-6-308, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

HOUSE PAGE NO. 205.

38 INTRODUCED BY PAVLOVICH, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IX, SECTION 5, OF THE MONTANA CONSTITUTION TO DIVERT COAL SEVERANCE TAX PAYMENTS FROM THE PERMANENT TRUST FUND TO THE GENERAL FUND UNTIL THE YEAR 2000; AND PROVIDING AN EFFECTIVE DATE."

HOUSE PAGE NO. 205, 303.

39 INTRODUCED BY PAVLOVICH, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IX, SECTION 5, OF THE MONTANA CONSTITUTION TO REDUCE THE PERCENTAGE OF COAL SEVERANCE TAXES THAT ARE REQUIRED TO BE PAID INTO THE PERMANENT TRUST FUND FROM ONE-HALF TO ONE-FOURTH AND TO REQUIRE ONE-FOURTH OF COAL SEVERANCE TAXES TO BE DEDICATED TO SCHOOL FINANCE; AND PROVIDING AN EFFECTIVE DATE."

HOUSE PAGE NO. 205, 303.

40 INTRODUCED BY COCCHIARELLA: A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING CERTAIN MEMBERS OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO RETIRE WITH 25 YEARS OF SERVICE WITHOUT PENALTY, INSTEAD OF 30 YEARS,

DURING A 6-MONTH PERIOD BEGINNING OCTOBER 1, 1992; AMENDING SECTION 19-3-901, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 205.

41 INTRODUCED BY KADAS, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT TRANSFERRING THE FUND BALANCE IN VARIOUS ACCOUNTS TO THE GENERAL FUND; TRANSFERRING $220,000 FROM THE ACCOMMODATIONS TAX ACCOUNT TO THE GENERAL FUND; TRANSFERRING THE BALANCE AS OF SEPTEMBER 1, 1992, FROM THE STATE TRAFFIC EDUCATION ACCOUNT TO THE GENERAL FUND; TRANSFERRING $150,000 FROM THE CRIME VICTIMS COMPENSATION AND ASSISTANCE ACCOUNT TO THE GENERAL FUND; TRANSFERRING $750,000 FROM THE HIGHWAY PATROL RETIREMENT CLEARING ACCOUNT TO THE GENERAL FUND; TRANSFERRING $67,000 FROM THE FORESTRY SLASH DISPOSAL ACCOUNT TO THE GENERAL FUND; TRANSFERRING $200,000 FROM THE AIR OPERATION INTERNAL SERVICE ACCOUNT TO THE GENERAL FUND; TRANSFERRING $450,000 FROM THE JUNK VEHICLE DISPOSAL ACCOUNT TO THE GENERAL FUND; TRANSFERRING $500,000 FROM THE RANGELAND IMPROVEMENT LOAN ACCOUNT TO THE GENERAL FUND; TRANSFERRING $1 MILLION FROM THE LIVESTOCK INSPECTION AND CONTROL ACCOUNT TO THE GENERAL FUND; TRANSFERRING $550,000 FROM THE BUILDING CODES STATE SPECIAL REVENUE ACCOUNT TO THE GENERAL FUND; REQUIRING RESTITUTION MONEY RECEIVED BY THE DEPARTMENT OF LIVESTOCK RELATED TO AIRCRAFT PARTS TO BE DEPOSITED IN THE GENERAL FUND; AMENDING SECTIONS 15-65-121, 20-7-504, 50-60-508, 53-9-109, 61-5-121, 75-10-532, 76-13-111, 76-13-415, 76-14-112, AND 81-3-107, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

HOUSE PAGE NO. 205, 225, 259, 269, 271, **273**, **281**, 284, 307, **308**, **310**, 319, 329, 330.

SENATE PAGE NO. 61, 69, **76**, **79**, 93.

42 INTRODUCED BY KADAS: A BILL FOR AN ACT ENTITLED: "AN ACT TRANSFERRING $300,000 IN REVENUE UNRELATED TO PER CAPITA LEVY REVENUE FROM THE INSPECTION AND CONTROL ACCOUNT TO THE GENERAL FUND; TRANSFERRING $300,000 IN REVENUE UNRELATED TO PER CAPITA LEVY REVENUE FROM THE ANIMAL HEALTH ACCOUNT TO THE GENERAL FUND; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

HOUSE PAGE NO. 205.

43 INTRODUCED BY DOWELL, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT IMPOSING A $2 PER NIGHT FEE ON VEHICLES NOT LICENSED IN THIS STATE AND USED FOR CAMPING AT PRIVATE CAMPGROUNDS AND AT AREAS OWNED OR MANAGED BY THE STATE; PROVIDING FOR DISTRIBUTION

OF THE FEE PROCEEDS; AMENDING SECTION 23-1-105, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 205.

44 INTRODUCED BY REAM, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT IMPOSING A 7 PERCENT SURTAX ON TAXES LEVIED BY THE STATE OF MONTANA; LIMITING EACH SURTAX TO 1 YEAR; ALLOCATING THE ADDITIONAL REVENUE OTHER THAN THE ADDITIONAL FUEL TAX REVENUE TO THE GENERAL FUND; AMENDING SECTIONS 15-31-121, 15-37-117, 16-1-404, 16-1-410, 16-1-411, 16-11-111, 16-11-119, 16-11-202, 23-5-610, 33-2-705, 61-3-502, AND 82-11-135, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE, APPLICABILITY DATES, AND TERMINATION DATES."

HOUSE PAGE NO. 205, 263, 269, 278, **279**, **281**, 284, 307, **315**, **317**, 329, 330.

SENATE PAGE NO. 61, 73, **76**, **80**, 101, 102.

45 INTRODUCED BY MCCAFFREE, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT IMPOSING A TAX ON CERTAIN TRANSFERS OF REAL PROPERTY; PROVIDING FOR DEPOSIT OF THE PROCEEDS OF THE TAX IN THE GENERAL FUND; PROVIDING PENALTIES; PROVIDING AN INCOME TAX CREDIT FOR PAYMENT OF THE TAX; AMENDING SECTIONS 15-7-301, 15-7-302, 15-7-303, 15-7-305, 15-7-306, 15-7-307, AND 15-7-310, MCA; AND PROVIDING AN EFFECTIVE DATE."

HOUSE PAGE NO. 205.

46 INTRODUCED BY PECK, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A RELIABLE CASH FLOW TO SCHOOL DISTRICTS BY ALLOWING STATE ADVANCES FOR COUNTY EQUALIZATION COLLECTIONS; REQUIRING THE STATE TREASURER TO ASSESS COUNTIES AN INTEREST CHARGE OF 10 PERCENT A YEAR ON ALL MONEY NOT REMITTED TO THE STATE BY THE 20TH DAY OF EACH MONTH; AMENDING SECTIONS 15-1-504, 20-9-212, 20-9-331, 20-9-333, 20-9-334, 20-9-335, 20-9-344, 20-9-346, AND 20-9-347, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

HOUSE PAGE NO. 205.

47 INTRODUCED BY HARRINGTON: A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A CREDIT CARD USE TAX; ESTABLISHING A 4 PERCENT TAX ON ALL CREDIT CARD FINANCIAL TRANSACTIONS; PROVIDING EXEMPTIONS FOR GOVERNMENTAL AGENCIES THAT USE CREDIT CARDS; REQUIRING PERMITS FOR VENDORS WHO CONDUCT BUSINESS WITH CREDIT CARDS; REQUIRING REGISTRATION OF CREDIT CARD ISSUERS; PROVIDING FOR THE ADMINISTRATION OF THE TAX; GRANTING A TAX CREDIT FOR INDIVIDUAL INCOME TAX LIABILITY AND CORPORATE LICENSE AND INCOME TAX

LIABILITY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

HOUSE PAGE NO. 205.

48 INTRODUCED BY HARRINGTON, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT EXTENDING THE TIME PERIOD FOR LIQUOR STORE AGENCY AGREEMENTS AND PROVIDING FOR THE RENEWAL OF LIQUOR STORE AGENCY AGREEMENTS; REQUIRING THE DEPARTMENT OF REVENUE TO ADOPT RULES IMPLEMENTING LIQUOR STORE AGENCY AGREEMENT EXTENSIONS AND RENEWALS; AMENDING SECTION 16-2-101, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 205, 266, 269, **273**, **282**, 284, 307, **308**, **310**, 319, 329, 331.

SENATE PAGE NO. 61, 81, 86, **88**, 93.

49 INTRODUCED BY R. JOHNSON (BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING): A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE GENERAL FUND STABILIZATION ACCOUNT; ESTABLISHING PROCEDURES TO TRANSFER FUNDS FROM THE ACCOUNT TO THE GENERAL FUND; TRANSFERRING FUNDS FROM BOARD OF HOUSING BOND RESERVE FUNDS TO THE GENERAL FUND STABILIZATION ACCOUNT; PLEDGING FUNDS IN THE COAL SEVERANCE TAX PERMANENT FUND TO PROVIDE NEEDED RESERVES; AMENDING SECTION 17-7-102, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 225.

50 INTRODUCED BY WHALEN, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT IMPOSING THE CORPORATE LICENSE TAX ON INSURANCE COMPANIES; AUTHORIZING THE COMMISSIONER OF INSURANCE TO ADOPT RULES TO IMPLEMENT THE TAX; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 15-1-501, 15-31-101, 15-31-113, 33-1-313, AND 33-2-705, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

HOUSE PAGE NO. 225.

51 INTRODUCED BY KADAS: A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE STATUTORY APPROPRIATION OF MONEY TO THE GOVERNOR FOR AN EMERGENCY OR DISASTER DUE TO FIRE; AMENDING SECTION 10-3-312, MCA; AND PROVIDING A CONTINGENT EFFECTIVE DATE."

HOUSE PAGE NO. 225, 260, 269, **274**, **282**, 284, 307, 312, 313, 329, 330.

SENATE PAGE NO. 61, 69, 76, **80**.

52 INTRODUCED BY COHEN (BY REQUEST OF THE DEPARTMENT OF REVENUE): A BILL FOR AN ACT ENTITLED: "AN ACT PLACING

THE NEW PROPERTY TAX VALUES DETERMINED DURING THE RECENT REAPPRAISAL CYCLE ON THE TAX ROLLS FOR THE 1993 TAX YEAR INSTEAD OF THE 1994 TAX YEAR; AMENDING SECTIONS 15-7-111, 15-7-132, AND 15-7-133, MCA, AND SECTIONS 13, 14, AND 15, CHAPTER 680, LAWS OF 1991; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 225, 284, 286, 289, **290**, **297**, 299, 307, 319, 329, 330.

SENATE PAGE NO. 68, 69, 81, 86, **88**.

53 INTRODUCED BY S.J. HANSEN: A BILL FOR AN ACT ENTITLED: "AN ACT TEMPORARILY DISCONTINUING THE DISTRIBUTION OF PROCEEDS FROM THE TRAFFIC EDUCATION ACCOUNT TO SCHOOL DISTRICTS FOR THE SCHOOL FISCAL YEAR BEGINNING JULY 1, 1992; TEMPORARILY DEPOSITING IN THE STATE EQUALIZATION ACCOUNT ANY BALANCE REMAINING IN THE TRAFFIC EDUCATION ACCOUNT; AMENDING SECTIONS 20-7-504 AND 20-7-506, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

HOUSE PAGE NO. 225.

54 INTRODUCED BY REAM, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE METHOD OF CALCULATING THE INDIVIDUAL INCOME TAXES DUE FROM NONRESIDENT AND TEMPORARY RESIDENT TAXPAYERS; AMENDING SECTIONS 15-30-101, 15-30-105, 15-30-112, 15-30-122, 15-30-131, 15-30-132, 15-30-136, AND 15-30-142, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

HOUSE PAGE NO. 227, 283, 284, 286, **291**, **297**, 299, 307, 319, 329, 330.

SENATE PAGE NO. 30, 68, 69, **86**, **89**, 102.

55 INTRODUCED BY BACHINI, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT DIVERTING FROM THE COAL SEVERANCE TAX TRUST FUND $18.6 MILLION FOR FISCAL YEAR 1993 AND APPROPRIATING IT TO THE GENERAL FUND; APPROPRIATING FOR FISCAL YEAR 1993 $71.4 MILLION TO THE GENERAL FUND FROM THE CORPUS OF THE COAL SEVERANCE TAX PERMANENT TRUST FUND; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 227.

56 INTRODUCED BY COCCHIARELLA, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING VARIOUS BUREAUS, PROGRAMS, AND POSITIONS WITHIN THE DEPARTMENT OF ADMINISTRATION; TRANSFERRING CERTAIN PROGRAMS WITHIN THAT DEPARTMENT TO THE DEPARTMENT OF LABOR AND INDUSTRY AND TO THE OFFICE OF THE BUDGET DIRECTOR; DIRECTING THE AMENDMENT OF RULE 24.26.508, ADMINISTRATIVE RULES OF MONTANA; AMENDING SECTIONS

2-18-101, 2-18-301, AND 39-31-301, MCA; AND PROVIDING EFFECTIVE DATES."

HOUSE PAGE NO. 227, 240, 250, 255, **256**, **257**, 269, 302.

SENATE PAGE NO. 30, 58, **67**.

57 INTRODUCED BY COHEN (BY REQUEST OF THE DEPARTMENT OF REVENUE): A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT AN OBJECTION TO A PROPERTY TAX CLASSIFICATION OR APPRAISAL MUST FIRST BE HEARD BY THE DEPARTMENT OF REVENUE; REVISING THE PROCESS BY WHICH THE DEPARTMENT HANDLES AN OBJECTION; REVISING THE PROCEDURE FOR APPEALS TO THE COUNTY AND STATE TAX APPEAL BOARDS; AMENDING SECTIONS 15-7-102, 15-7-111, AND 15-15-102, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

HOUSE PAGE NO. 227.

58 INTRODUCED BY MADISON, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES FROM ISSUING A PERMIT FOR THE INCINERATION OF SOLID WASTES OR HAZARDOUS WASTES OR FOR THE USE OF HAZARDOUS WASTE-DERIVED FUEL; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 227, 249, 250, 253, **254**, **257**, 267, 302, 303, 312, 313, 329, 334.

SENATE PAGE NO. 58, 67, **69**, **71**.

59 INTRODUCED BY MADISON, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE IMPORTATION OF HAZARDOUS WASTE OR HAZARDOUS WASTE-DERIVED FUEL INTO MONTANA FOR DISPOSAL OR INCINERATION OR FOR USE AS A SUPPLEMENTAL FUEL UNTIL OCTOBER 1, 1993; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 227, 249, 250, **255**, **257**, 267, 302, 303, **305**, 307, **308**, **311**, 319, 329, 332.

SENATE PAGE NO. 58, 67, **70**, **71**, 80, 83, **87**, **89**, 93.

60 INTRODUCED BY MCCULLOCH, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT IMPOSING A 10 PERCENT SURTAX ON THE COAL GROSS PROCEEDS TAX, THE LOCAL GOVERNMENT SEVERANCE TAX ON OIL AND GAS, AND THE OIL AND GAS NET PROCEEDS TAX ON NEW PRODUCTION; LIMITING EACH SURTAX TO 1 YEAR; ALLOCATING THE ADDITIONAL REVENUE TO THE GENERAL FUND; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE, A RETROACTIVE APPLICABILITY DATE, AND A TERMINATION DATE."

HOUSE PAGE NO. 237.

61 INTRODUCED BY TOOLE, ET AL.: A BILL FOR AN ACT ENTITLED: "AN ACT RAISING THE COAL SEVERANCE TAX RATE FOR SURFACE MINING TO 20 PERCENT OF VALUE FOR UNDER 7,000 BTU PER POUND OF COAL AND TO 30 PERCENT OF VALUE FOR 7,000 AND OVER BTU PER POUND OF COAL; PROVIDING THAT THE PROPOSED ACT BE SUBMITTED TO THE QUALIFIED ELECTORS OF MONTANA; AMENDING SECTION 15-35-103, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

HOUSE PAGE NO. 240.

62 INTRODUCED BY SCHYE (BY REQUEST OF THE HOUSE EDUCATION AND CULTURAL RESOURCES COMMITTEE): A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A RELIABLE CASH FLOW TO SCHOOL DISTRICTS BY ALLOWING STATE ADVANCES FOR COUNTY EQUALIZATION COLLECTIONS; REQUIRING THE STATE TREASURER TO ASSESS COUNTIES AN INTEREST CHARGE OF 10 PERCENT A YEAR ON ALL MONEY NOT REMITTED TO THE STATE BY THE 20TH DAY OF EACH MONTH; REDUCING THE LEVEL OF ALLOWABLE SCHOOL DISTRICT GENERAL FUND OPERATING RESERVES TO 10 PERCENT; AMENDING SECTIONS 15-1-504, 20-9-104, 20-9-212, 20-9-331, 20-9-333, 20-9-334, 20-9-335, 20-9-344, 20-9-346, AND 20-9-347, MCA; AND PROVIDING EFFECTIVE DATES AND RETROACTIVE APPLICABILITY DATES."

HOUSE PAGE NO. 240, 260, 269, 275, **277**, **283**, 284, 311, **315**, **317**, 329, 330.

SENATE PAGE NO. 61, 73, **90**, **92**, **100**, 101.

63 INTRODUCED BY WALLIN: A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A 2 PERCENT SALES TAX AND USE TAX ON THE RETAIL SALE OF PROPERTY AND SERVICES; PROVIDING CERTAIN EXEMPTIONS, INCLUDING EXEMPTIONS FOR PRESCRIPTION DRUGS, HEALTH CARE, AND GOODS OTHERWISE TAXED; PROVIDING FOR THE ADMINISTRATION OF THE SALES TAX AND USE TAX; PROVIDING PENALTIES; PROVIDING THAT THE PROCEEDS OF THE SALES TAX AND USE TAX ARE DEPOSITED IN THE GENERAL FUND; INCREASING THE NEW AUTOMOBILE SALES TAX TO 2 PERCENT AND IMPOSING A 2 PERCENT SALES TAX ON USED AUTOMOBILES, WITH THE INCREASED REVENUE TO BE DEPOSITED IN THE STATE HIGHWAY ACCOUNT; AMENDING SECTIONS 61-3-502 AND 61-4-112, MCA; PROVIDING AN IMMEDIATE EFFECTIVE DATE, AN APPLICABILITY DATE, AND A TERMINATION DATE."

HOUSE PAGE NO. 251.

HOUSE JOINT RESOLUTIONS

1 INTRODUCED BY HARPER, ET AL. (BY REQUEST OF THE WATER POLICY COMMITTEE): A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA EXTENDING THE GOVERNOR'S STATE OF DISASTER DECLARATION DUE TO CONTINUING DROUGHT CONDITIONS.

HOUSE PAGE NO. 123, 203, **227**, **231**, 302, 303, 312, 313, 329.

SENATE PAGE NO. 29, 30, 67, 70, **72**.

2 INTRODUCED BY GILBERT, ET AL. (BY REQUEST OF THE REVENUE OVERSIGHT COMMITTEE): A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REVISING THE OFFICIAL ESTIMATE, CONTAINED IN HOUSE JOINT RESOLUTION NO. 1, SPECIAL LAWS OF JANUARY 1992, OF THE STATE'S ANTICIPATED REVENUE FOR EACH YEAR OF THE 1992-93 BIENNIUM FOR THE PURPOSE OF ACHIEVING A BALANCED BUDGET AS MANDATED BY ARTICLE VIII, SECTION 9, OF THE MONTANA CONSTITUTION; ACCEPTING THE JUNE 30, 1991, GENERAL FUND AND STATE EQUALIZATION ACCOUNT BALANCES THAT WERE ESTABLISHED BASED ON GENERALLY ACCEPTED ACCOUNTING PRINCIPLES; REQUESTING THE GOVERNOR'S OFFICE OF BUDGET AND PROGRAM PLANNING TO USE THE REVENUE ESTIMATES CONTAINED IN THIS RESOLUTION AS OFFICIAL REVENUE ESTIMATES FOR FISCAL YEAR 1992 AND FOR FISCAL YEAR 1993; AND ESTABLISHING AN ESTIMATE OF THE NONGENERAL FUND REVENUE FOR THE STATE EQUALIZATION ACCOUNT.

HOUSE PAGE NO. 132, 204, 227, **237**, **239**, 270, **287**, 298, 303, 313, **316**, **318**, 325, 329.

SENATE PAGE NO. 44, 51, **60**, 68, 72, 94, 99, **100**, 101.

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